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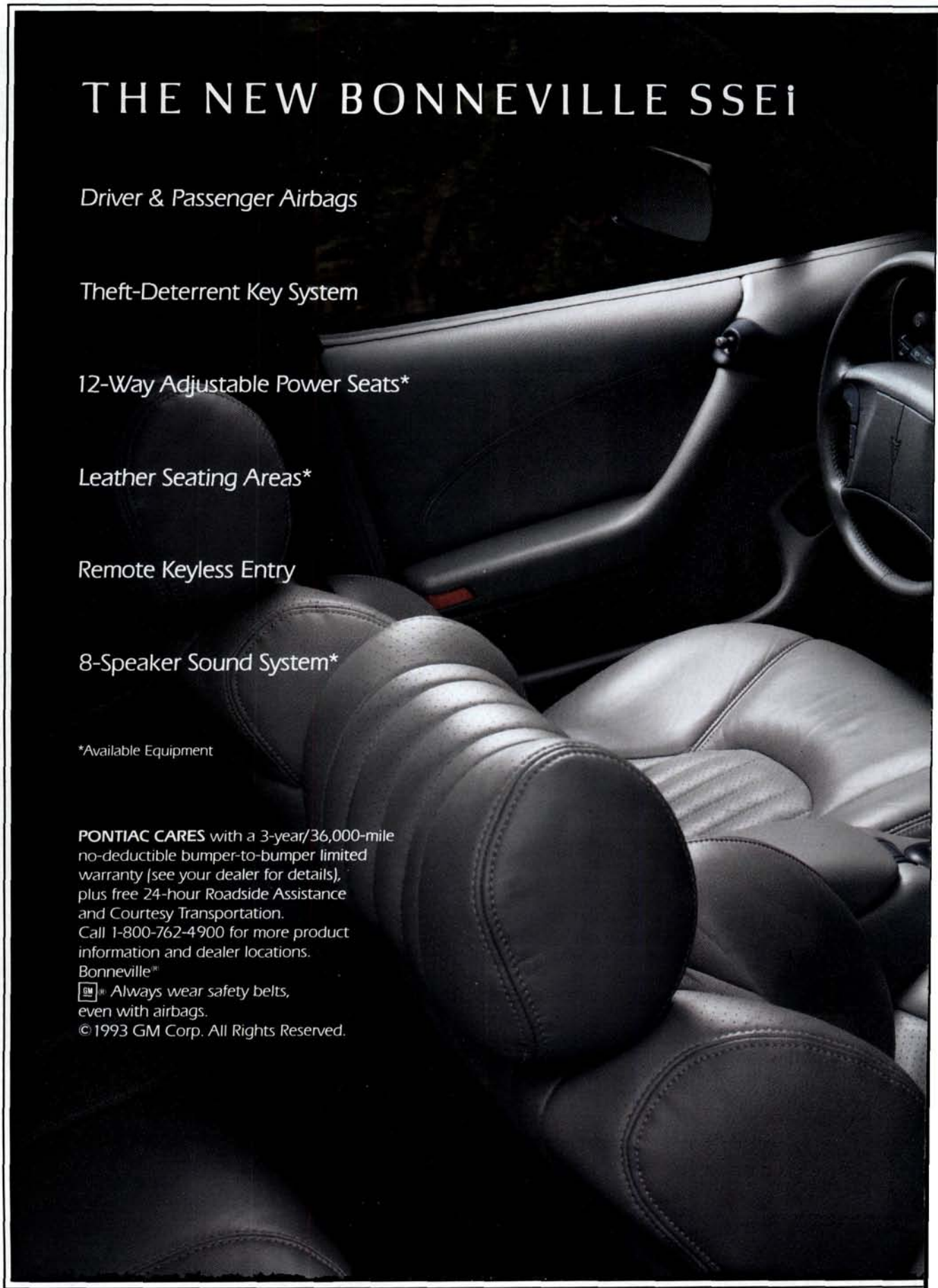

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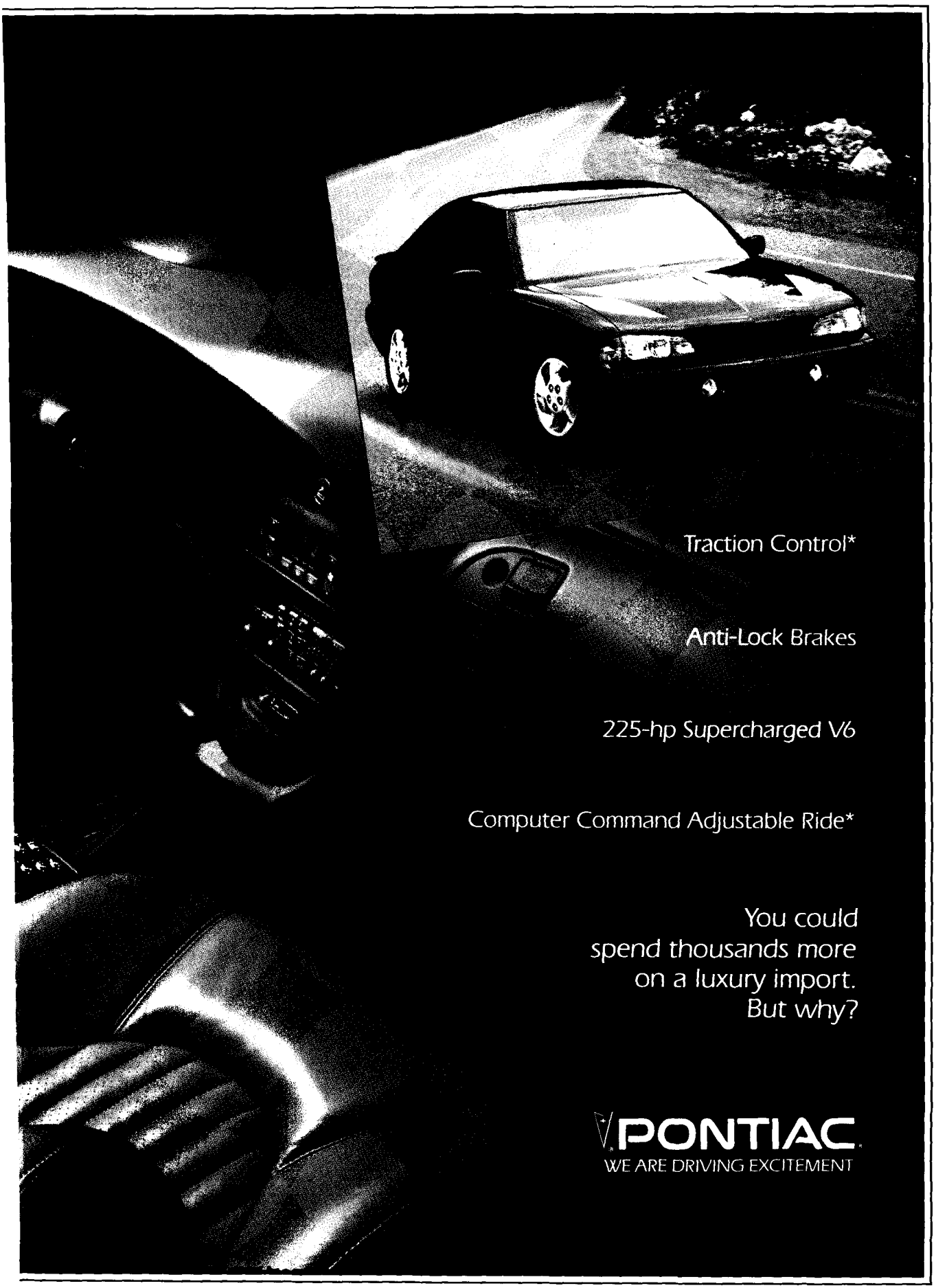

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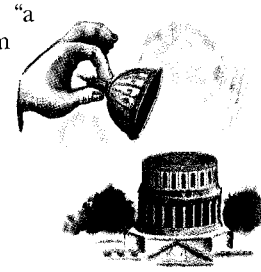
FROM WASHINGTON

Remembering Bobby

A heavy snow fell on Washington today and it came from Austin. With his unforgettable press conference, Bobby Ray Inman has provided the political culture that he detests, I mean the political culture of America, with its canonical image of The Man with Something to Hide. Inman was withdrawing himself from public service because he was withdrawing himself from the light. He sounded like a man who knew what a paper was about to publish. And so at no point in his afternoon of narcissism did Inman mention the really bothersome thing in his past, which is his close relationship with James Guerin, the head of a company called International Signal and Control, who now sits in a jail in Florida for transferring military technology to Iraq and South Africa. (On April 27, 1992, Inman wrote to Judge Louis Bechtle of Philadelphia: "During the period 1975-1978 [when Inman was director of the National Security Agency] I came to know and worked with Mr. James Guerin ... on classified U.S. government activities ... that related to the potential proliferation of nuclear weapons capability.... Mr. Guerin displayed patriotism toward our country and a willingness to provide useful information even though it could have risked unfavorable publicity for his company." This document, to which William Safire has drawn attention, is reproduced in *Spider's Web*, Alan Friedman's densely documented study of the arming of Iraq by the Bush administration, where I also find that Inman sat on the "proxy board" of Guerin's company.) Instead it snowed, as Inman discoursed wonkishly and with ardor on his commitment to working with the National Organization of Women to reform the laws regarding Social Security payments for domestic help, so that "native born" women "with little education" do not suffer anymore for the busy schedules of powerful employers such as himself.

But Inman was an artless dodger. His game became grotesque, as he sank into conspiracy theories and worse. Inman turns out to be dermatologically challenged; that is, he has no skin. He attacked the press violently, and argued that its intrusiveness would have made his work at the Pentagon impossible. ("I am not seeking legislation" to restrain the press, he assured his audience. Drinks were on the house at every saloon in the District.) The objects of his fury were not reporters so much as columnists, who should be more properly called, according to Inman's view of the world, fifth columnists. William Safire, whose hostility to the Inman nomination has been unremitting, was denounced with comical intensity. Inman even said that he was the victim of a secret plot, "a trade," between William Safire and Robert Dole, according to which "Dole would turn up the heat on my nomination [and] Safire would turn up the heat on Whitewater." You could almost hear that Patsy Cline song.



And then things went from crazy to ugly. Having accused the press of a "new McCarthyism," Inman proceeded to same. Speculating on Safire's motives, he did not quite say that the columnist was working for Israel, but he did say, with a strut, that the columnist's opposition to his nomination was owed to the result of his decision in 1981, when he was deputy director of the CIA, in the wake of Israel's raid on Iraq's nuclear reactor at Osirak, to withhold intelligence from Israel that might be useful for another such action. "Casey was giving away too much," Inman concluded at the time, according to Bob Woodward's *Veil*, for which he was obviously a source. "Inman didn't see how the United States could maintain any balanced policy if Israel was permitted to drop bombs all over the Middle East. He quickly created new rules by which Israel could get photos and other sensitive intelligence only for defense." Enter Jonathan Pollard? I have no idea. But enter William Safire. At his press conference Inman recalled that Safire complained to William Casey, Inman's superior at the CIA, and an admirer of the Israeli approach to Saddam's bomb, about Inman's "new rules."

From another passage in Woodward's book I learn that Inman's inhibition of Israel was a practical matter. He believed that the Israelis would bomb the military installations of Libya. So this is the position of the man who came so close to the stewardship of America's security on the subject of nuclear proliferation in the Middle East: he continues to defend a convicted businessman as a patriot for providing information to the United States about Iraq's nuclear program, even as the convicted businessman sits in jail for illegally transferring instruments of warfare to Iraq and South Africa, but he continues to oppose Israel for destroying Iraq's nuclear program, even as he learns, in the aftermath of the Gulf war, that Saddam's nuclear program was fearfully advanced and that Saddam's threats to use his missile technology against Israel were not empty. Who can doubt that Israel used American intelligence about Iraq in its own "defense"? And who can doubt, if Libya builds a bomb, and Israel, using American intelligence about Libya, destroys it, that Israel would be using American intelligence in its own "defense"?

Inman, that's who. And his misunderstanding of democracy is no less gross than his misunderstanding of defense. For a start, Safire was not oppressing Inman as a columnist, he was oppressing Inman as a journalist. Inman's connection to Guerin is not an opinion, it is a fact. But the sleaziness of Inman's outburst was more general. He was hiding from the press behind the public's paranoia about the press. There is something especially hypocritical, something especially repulsive, about the populism of the gentleman from K Street. But here was the well-named Inman tricking himself out as the wounded outsider, as the latest Middle-American victim of all those scribbling insiders. Historians studying the debasement of populism at the end of the century will have to make room, in their chapters on the Texan contribution, for Inman. He is an exemplary epigone of Perot.

This was the man in whom Bill Clinton reposed his confidence. Forgive me, but this administration is just plain bizarre. One of the most pressing challenges for the secretary of defense, after all, is the proliferation of nuclear weaponry to North Korea; but here is the secretary of defense-designate fleeing government, and citing as a cause of his flight the animadversions of Ellen Goodman. "I am better off, and the country is better off, with me in the private sector," he said at his press conference. About this, at least, he was half right. A man who will not stand up to Ellen Goodman will not stand up to Kim Il Sung.

LEON WIESELTIER

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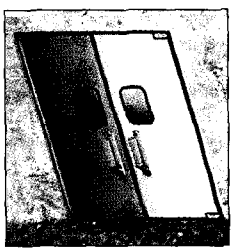

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CORRESPONDENCE

Bah, humbug

To the editors:

It was refreshing to read your sympathetic account of the Salvation Army by Sallie Tisdale ("Good Soldiers," January 3), but disconcerting to be told that in General William Booth's time (the latter part of the nineteenth century), "the poor were either not allowed into church services or were required to stay hidden behind screens." This was not even true of the Church of England, still less true of the Roman Catholic Church or of the various Methodist churches (including the Methodist New Connexion sect that Booth had belonged to), which were most hospitable to the poor. The outdoor services of the Salvation Army, like those of other missions at the time, were meant to attract people who chose not to go to church.

Nor is it true that Booth "steered close to a kind of Marxism in his love of Christ"—unless every form of religious socialism is deemed to be a kind of Marxism, which would be anathema to any good Marxist or religious socialist.

GERTRUDE HIMMELFARB
Washington, D.C.

To the editors:

I've heard this tune before. Sallie Tisdale's gratuitous piece on the Salvation Army follows a similar pattern that is evidenced in the Jewish community. Each year during the Chabad Lubavitch telethon, large numbers of either unaffiliated or nonobservant Jews provide the greatest support. Their unfamiliarity with their own religious identities allows them to overlook the major cultural, ideological and theological differences between their lifestyles and Chabad. It is highly likely these misguided supporters are so unclear as to their own identities and so guilt-ridden over their own inaction that they satisfy this void by supporting Chabad's telethon. They then follow up their support with statements similar to Tisdale's.

The bottom line is that there are plenty of organizations that do a tremendous amount of positive work in our community while sparing the proselytizing and adherence to conservative beliefs that violate principles of liberalism without trying to make the Salvation Army into one of them. More often than not, when a group does good in the name of religious zealotry it also projects its values into much of what it does. Clearly the Salvation Army is one of these groups. That, of course, is its prerogative. However, why I (or anyone else for that matter) as a liberal should delude myself into "loving" it is beyond me.

Perhaps Tisdale's last comment is the giveaway. In accusing other religions of allowing words to speak louder than actions she shows not only a basic ignorance of liberal religious identities, but also a fairly characteristic blanket generalization of the varieties that do exist.

RABBI RONALD H. STERN
Northridge, California

To the editors:

The cover of your January 3 issue describes the Salvation Army as "the poverty program that actually works." The fact that 87 percent of the money raised is used for service programs is commendable, but that only makes the Army an efficient organization, not necessarily an effective one. What would be interesting to know is how many of those the Army serves manage to become self-supporting. That is the real test of how well any poverty-fighting program works.

STACEY BROGDEN
Placentia, California

Obscure

To the editors:

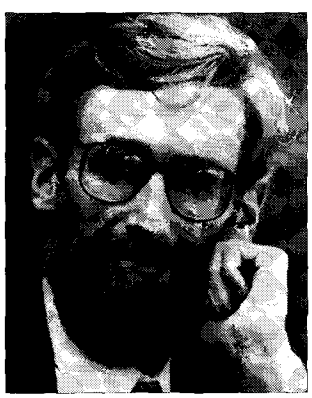
In his attempt to discredit my critique of Roy Gutman's reporting from Bosnia (Washington Diarist, "War Stories," January 3), Charles Lane contrasts "Gutman's ample credentials" with the fact that my critique appeared in "an obscure publication called *Living Marxism.*" This red-baiting misses the point. The issue is not Gutman's prize-winning credentials, but the credibility of his stories.

In the summer of 1992 Gutman accused the Serbs of running "death camps" in Bosnia. He had not visited the camps in question, at Omarska and Brcko, but felt confident nevertheless in comparing them to Nazi-style extermination camps. Gutman's stories were based on two uncorroborated eyewitness accounts and two hearsay accounts. That's it. When my critique was published in *Living Marxism* (May 1993), Gutman felt sufficiently stung to reply to the "obscure publication" (July 1993). He did not, however, answer any of the serious questions raised about his reporting, as I pointed out in my reply (August 1993).

There were no "death camps" in Bosnia. I have been to the war zones many times in the past eighteen months.

THE ANATOMY OF ANTILIBERALISM

STEPHEN HOLMES



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—Alan Wolfe, *New Republic*

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I visited some of the Serb-run camps. They were not holiday camps. But they were no different from detention camps in any war zone in the world.

JOAN PHILLIPS
London, England

Charles Lane replies:

My point was to chide Peter Brock for not disclosing Phillips's affiliation in his *Foreign Policy* article. Apparently he thought doing so might damage his case. The "death camps" headline is a straw man. Serb camps violated international law in multiple ways—torture, beatings and murder—as is amply attested to by many more than two survivors, as well as international relief workers. Does Phillips, in her apologia, really mean to suggest an equation between Omarska and, say, United States-run POW camps in the Gulf war?

After virtues

To the editors:

It is heartening that Martha C. Nussbaum discovers much of value in William Bennett's splendid *The Book of Virtues* ("Divided We Stand," January 10 & 17). Since it has been bedtime reading in our home the past couple of weeks, my wife and I can attest that its power to inspire cuts across generational lines.

What is depressing in Nussbaum's critique—if hardly surprising, since the attitude is so characteristic of leftish and particularly feminist orthodoxy—is her utter wonder that such a volume could have been produced by someone with Bennett's political and social views. That is to say, his "bullying public manner" and overall history of "crude moralism." Indeed, noting the passion for justice that animates so much of the book, she wonders whether Bennett's "conservative following"—to her mind, incapable of much beyond flag-waving and greeting card banalities—will be put off.

Like so many given to sanctimony on the nation's campuses today, Nussbaum believes her own distortions. What she cannot conceive is that most of those, like Bennett, who vigorously oppose the political agenda she supports do so precisely *because* of their passion for justice. When, for instance, she asserts that "anyone who remembers Bennett as an arch-foe of 'multiculturalism' will be surprised to discover that this is a fairly multicultural book,'" her ignorance is nothing short of breathtaking. Yes, of course, Bennett is deeply stirred by the moral examples of Dr. King and Barbara Fritchie and all the others committed enough to "risk their lives or safety for a cause they believe to be right"; so are we all. At its best, history offers not merely a generalized endorsement of nobility, but a powerful sense that the individual can act to right horrific wrongs and sometimes even succeed.

But that has nothing to do with the worldview Nussbaum embraces. Like most who flourish in the current repressive atmosphere on campus, she presents herself as a beleaguered moral literate. In fact, a compelling case can be made that, on her own Brown campus, it is those who fight a brand of multiculturalism that undermines community who most vividly recall the standard-bearers for principle in our collective past: those who a generation ago helped make the civil rights revolution, and, a decade before that, took a stand against McCarthyism. If Nussbaum looked a little harder, she would know how many such individuals today find themselves in the other camp. The principles haven't changed, just the identity of the bullies.

HARRY STEIN
Hastings-on-Hudson, New York

Misty-eyed

To the editors:

By using his decades-old public school experience in New York City as an example of the harmlessness or cultural identity-enhancing benefits of elementary school Christmas pageants, Martin Peretz undermines the credibility of his argument (Cambridge Diarist, "A Star is Born," January 10 & 17). Everyone, at least the average TNR reader, knows that in matters of multiculturalism and tolerance New York City may be the ideal to emulate, but it is not the experience of most people in this country. Ask the solitary Jewish or atheist child in northern New York state or small-town South Carolina how he feels when Christmas is shoved down his throat year after year and you will probably get a different answer, one that underscores the alienation most non-Christians in this country feel.

Until the schools teach about religion—all religious beliefs, including the lack thereof—in an organized and non-judgmental fashion, kids are better off not having it forced on them, no matter how seemingly innocuous or tolerant its manner of presentation. The way religion is presented in most public schools is a clear violation of the establishment clause, and no misty-eyed recollection to the contrary can change that. Permitting children to opt out is no solution: very few 7-year-olds of my acquaintance enjoy being singled out in such a public way.

ANNE WOLFSON
New York, New York

Sucked in

To the editors:

I'm not sure which is more, well, inconsistent: Michael Kinsley's hand-wringing over David Brock's article on the tale-telling Arkansas state troopers, "But how did all the rest of us get sucked in?" (TRB, "F-Troop," January 10 & 17), or the editors' outrage and dismissive certainty regarding the same subject, "We doubt whether most of [Brock's] allegations are true. But even if they are, they're of no relevance to Clinton's public duties" ("Don't Panic," January 10 & 17).

Compare Kinsley's November 11, 1991, TRB on the Anita Hill-Clarence Thomas fiasco ("Desert Storm"): "Even those who choose to believe Clarence Thomas's whole story can't seriously maintain that the charges against him were exposed as transparently false and absurd, unworthy of consideration.... Ditto the general hand-wringing about scandal-mongering, invasion of privacy, the search for weightier considerations, etc. These are all valid issues."

Or re-read your own editorial of October 28, 1991 ("Mr. Thomas Goes A-Courting"): "To say that Clarence Thomas has been accused of something common and elusive to prove is not to deny that he has been accused of something serious. It *is* serious, serious enough to delay the vote."

Of course you and Kinsley can have it both ways—it's your magazine and his column. But I thought the statute of limitations on old columns and editorial views was at least three years. Still, I've got to admire your, er, flexibility.

HUGH HEWITT
Newport Beach, California

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Where We Stand

By Albert Shanker, President
American Federation of Teachers

Discipline by the Numbers

Do we really want schools to be free from violence, disorder and disruption? We say we do, but recent events in Cincinnati show that there are some prices we are not willing to pay.

A couple of years ago, the Cincinnati school district, in cooperation with the Cincinnati Federation of Teachers, instituted a tough school discipline code. They realized that there is no point in talking about meeting world-class education standards—or even improving student achievement—unless there is order in the schools. It is obvious that students can't concentrate on their work if they are worried about catching a stray bullet in the lunchroom. But disruption is far more common than violence in our schools, and it's routinely destructive to learning. All you need is one kid who sits in the back of the room shouting put-downs at other students to guarantee that very little learning takes place.

Cincinnati's discipline code provides stiff penalties for students who disrupt classes as well as for those who endanger other people. A student who makes noises or throws things or talks so that others cannot learn can be subject to an in-school suspension or regular suspension. Cursing out a teacher brings a mandatory suspension. And chronic offenders he can be expelled for up to 80 days. Youngsters can appeal regular suspensions and expulsions, but teachers don't have to keep a kid in class if he is dangerous. He can be removed awaiting his hearing, so that the other kids don't have to suffer.

But Cincinnati's tough code is in trouble. A court settlement, which is pending as this goes to press, threatens to compromise the way the code is enforced and may even gut it.

The settlement, which involves a 20-year-old desegregation case, notes the disparate impact of the code on African-American students and says that it must be remedied. Its solution is to keep records of the race and sex of teachers referring students for disciplinary action and the race and sex of the students. These records will help decide whether a teacher should get a pay increase or further training in classroom management—or be terminated.

But what standards will be used in interpreting the records? Will it be OK for a black teacher to refer a black child for disciplinary action but not for a white teacher—even if it's the same offense? Will a white female teacher referring mainly African-American boys be in trouble while a black male teacher doing the same be all right? Is it possible that kids of different races who commit the same infraction will be punished differently? Might a quota system be set up that establishes how many of one group can be disciplined for a given offense in a given year?

The mere fact that there is a disparity between disciplinary actions against white students and black students does not mean there is discrimination.

The problems with this approach to discipline are obvious. The mere fact that there is a disparity between disciplinary actions against white and black students does not mean there is discrimination. The question is whether a particular teacher was justified in referring a particular student for discipline, and you can't answer that by looking at their races. To what extent is this student's unacceptable behavior part of a regular pattern? Does it occur with most teachers? With this teacher only? Could it be provocation on the part of the teacher? We don't base parking tickets on the race of the driver, and we can't use it to decide questions of school discipline.

If the court accepts the proposed settlement, you can bet that teachers will think twice about referring a student for discipline. It will go on a teacher's records, and the punishment the teacher gets for reporting an offending student is likely to be greater than the punishment the student gets. Teachers will probably also decide that it's not worth it to report an African-American student when they might be called on the carpet for bias—at least not until they have reported their appropriate quotas of students of other races.

Teachers in their role as disciplinarians are like policemen, arresting students who have broken the law. This court settlement is the equivalent of telling policemen, "The more criminals you turn in, the harder time we will give you. And, incidentally, your arrests had better be racially balanced." There are policemen and teachers who are lousy, but you don't weed out the bad ones by making it impossible for all of them to do their jobs.

African-American leaders recently called a national conference to talk about black-on-black crime. This was courageous but, as they said, it was also necessary. There is a similar issue here. If the court settlement destroys Cincinnati's discipline code, some of the children who escape being suspended will be black. And the overwhelming percentage of children denied an education in disorderly and even violent classrooms will also be black. That's the real crime in this story.

Mr. Shanker's comments appear in this ad under the auspices of the American Federation of Teachers. Reader correspondence is invited. Address your letters to Mr. Shanker at the AFT, 555 New Jersey Avenue, N.W. Washington, D.C. 20001. © 1994 by Albert Shanker.

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FEBRUARY 7, 1994

WELFARE FIRST

Bill Clinton promised to reform the nation's health care system. He also promised to reform the nation's welfare system. Both promises helped him get elected. Now, in his second year in office, Clinton has the job of fulfilling them. Unfortunately, in his first year in office Clinton seemed to prove that he should only try to do one thing at a time. Hence his dilemma: Which comes first, health care or welfare? Clinton's answer, apparently, is health care. We think it's the wrong decision.

Which, after all, is the graver problem? The health care system is a mess, perhaps even in "crisis." It wastes untold billions, while leaving millions uninsured. But even the uninsured are generally receiving treatment; they aren't dying for want of managed competition. In the welfare culture of America's ghettos, people are dying, every day. "Put health and ... all that aside when the society looks like it's about to come apart," advises Senator Daniel Patrick Moynihan. "There are parts of our cities which have, in fact, come apart."

On which issue is there a clear political majority ready to act? Not on health, where even in Clinton's party there are factions favoring a single-payer approach, managed competition and Ira Magaziner's grandiose combination of the two. But there has never been more of a consensus on what to do about welfare. Clinton campaigned on the idea that putting time-limits on welfare could "break the permanent culture of dependence" in our ghettos. After two years, said his T.V. ads, "those who are able must go to work"—in community service jobs if necessary. This winter, 160 House Republicans sponsored a bill embracing Clinton's concept. They even proposed spending the un-Republican sum of $6 billion a year on jobs and day care to make it work. On the Democratic side, seventy-seven members of the House "Mainstream Forum" have written Clinton a letter touting time-limits. Add those groups together and you have a clear majority. Clinton's own welfare task force has yet to produce a plan, but there is little doubt he could get a time-limit past Congress this year if he went after it.

So what's the risk of reforming welfare first, and then tackling health care? The worst that will happen is that health reform will be pushed into the next Congress, something that may happen anyway. At least Clinton would have fulfilled one promise. But with the "health-first" scenario, disaster looms: health legislation gets bogged down in Congress, while Clinton gets hammered by Newt Gingrich for abandoning his welfare pledge.

The Clintonites make two credible arguments for the health-first approach. First, they argue that health reform helps welfare reform by eliminating recipients' fear that if they take jobs they will lose Medicaid coverage. The fear is real. Yet it's not true that (to quote a White House press release) "we cannot end welfare unless we also have comprehensive health care reform." There are ways to minimize the Medicaid problem until health reform passes. (Welfare recipients currently get Medicaid for a year after they leave the rolls. That could be extended to two years.)

A second, more pragmatic argument notes that Clinton needs his party's paleoliberal wing to pass health reform, but that this same group constitutes the strongest opposition to welfare time-limits. The fear is that some group—say, the Congressional Black Caucus—will refuse to vote for health reform unless welfare reform is diluted. But this is only an argument against pursuing both reforms at once, not against putting welfare first. And there are compensating political benefits (i.e., centrist support) in pushing the welfare issue. It's at least not intuitively obvious why, if Clinton's health care reform is too liberal for congressional moderates, the answer is to buy off the *left* by punting on welfare. Another solution would be to move to the center on health care, and use the same centrist coalition to pass welfare reform.

Of course, there is the suspicion, aired by Moynihan, that many in Clinton's administration would not be displeased if his pledge to "end welfare as we know it" were *never* fulfilled. Actually, this is more than a suspicion. The Children's Defense Fund, which both Hillary Rodham Clinton and Health and Human Services Secretary Donna Shalala once chaired, has always opposed time-limits. Public employee unions, fearing competition from "workfare" workers, have been trying hard to "slow things down," in the words of one union lobbyist. They know that postponing welfare reform is the first step to killing it. So far, they've succeeded. At some point, if the delays continue, Congress—and the states—may take matters into their own hands. It's not too early to ask if Clinton hasn't become an obstacle to the reforms that might break the "culture of dependence." •

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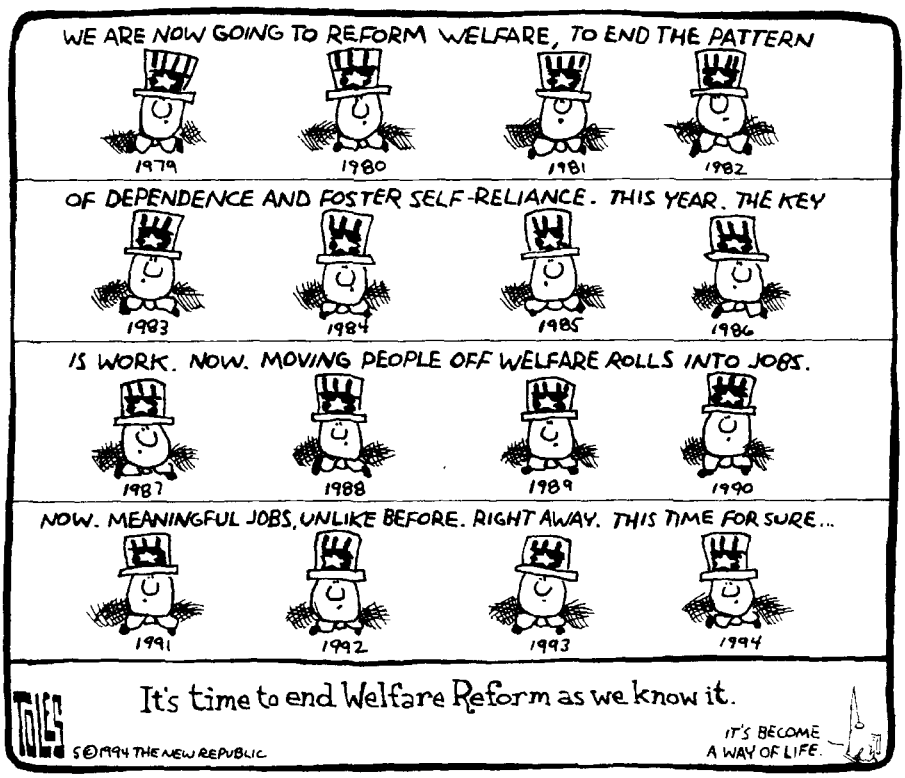
NOTEBOOK

ASSAD CASE: The wily persona of Hafez Assad has always aroused the fascination of a certain kind of foreign policy realist. Yes, the argument goes, the Syrian dictator has much blood on his hands (most of it the blood of other Arabs). But you have to hand it to him: he's a survivor, a tough bargainer who always keeps his word, even with Israel. It is as if a shiver of illicit excitement attended the diplomatic chore of coaxing this man into a peace deal. Jimmy Carter and George Bush each briefly succumbed to the cult of Syrian indispensability, only to emerge empty-handed. And now Bill Clinton, too—taking care not to look like he was enjoying the experience—has made *time* for the obligatory handshake with Assad. After a five-hour haggling session in Geneva, he praised Assad for his staying power and his desire for peace with Israel. But on what evidence? The Syrian dictator said he was ready for "the peace of the brave." But he has said such things before. In fact, there has been no tangible evidence of a new policy in Damascus—nor any signs that Assad's brittle regime, dominated by fellow members of his Alawite minority, could muster enough legitimacy to sustain the guarantees Israel needs to sell a Golan Heights deal to the Israeli public. Assad has shown no willingness to restore the full sovereignty of Lebanon, large chunks of which his troops have been occupying for nearly two decades. It's time for an attitude adjustment. The United States should demand real concessions: Lebanese sovereignty; no more support for Palestinian rejectionists; a clear expression that Damascus acknowledges the sea change in Israeli policy and desires to meet Jerusalem halfway. Syria is, after all, a country that has lost Soviet patronage and whose leverage has been reduced, not enhanced, by the Israel-PLO accord. Assad faces a new world where not even the edgy Jordanians show him their usual deference. If the United States were to play tough—exploiting Syria's desperate desire for trade and for removal from the list of nations that sponsor terrorism—our negotiators might yet return from Damascus with more than they have been able to garner in the past. Assad needs us more than we need him.



CONTRA OMNES: Ronald Reagan has attacked Lawrence Walsh's Iran-contra investigation as "excessive and vindictive." In fact, Walsh's final report, published this week, is far more generous to Reagan than to George Bush. Although Walsh blames Reagan for creating "the conditions which made possible the crimes committed by others," the report recognizes that the constitutional crimes Reagan tacitly encouraged were at least motivated by a desire to free the hostages and save the contras. Bush's pardon of Caspar Weinberger, by contrast, was a purely self-interested act, designed to spare Bush the indignity of testifying about his actions in court. Our reaction after reading the report is frustration that the constitutional offenses Walsh records could not be more effectively prosecuted because of Congress's clumsy grants of immunity. That's all the more reason to resist calls for a congressional investigation of Whitewater, and to renew the Independent Counsel statute as soon as possible.

RUSSIAN REVOLUTION:

Ultranationalist Assails Jews for 'Provocations'

—*International Herald Tribune*, December 15, 1993

Newly Refined Zhirinovsky Retreats From Fiery Rhetoric

—*The Wall Street Journal*, same day

(Thanks to Ethan Burger, London, England.)

UP THE HILL: With this issue, Weston Kosova graduates from managing editor to senior editor. He'll be reporting regularly on the activities of Congress. •

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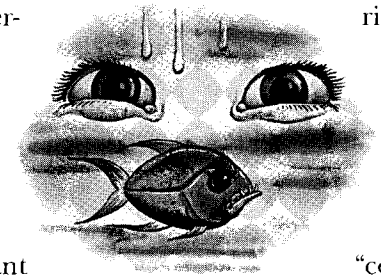
CONSUMED

FIN DE SIÈCLE

By Ruth Shalit

Fish are the most serene and accepting of creatures; and when I decided to buy a saltwater aquarium last month, I expected only happiness. Back then, of course, I said "gravel" instead of "filtration media"; "rocks" instead of "reefscape"; "plastic scuba diver" instead of "action aerator ornament." I spoke hopefully of "fish" when what I really meant was the "bioload," the "inhabitants," the "population." My naïveté was positively oceanic.

No longer. "You must plan your aquatic environment," counseled my marine pet consultant. So I did. At Congressional Aquarium, a full-service fish mecca located in our nation's capital, I shelled out $179.90 for a thirty-gallon acrylic tank. I bought metal halide lights. I paid $79.90 for a wet-dry, undergravel filter. Before long, I found myself wanting even more. "Why use drip plates?" exhorted a full-color advertising spread in *Freshwater and Marine Enthusiast*. "These rotron spinners are much more efficient!" Why indeed? I ordered three.



Once upon a time, fish-keeping meant sticking a couple of fish in a bowl of water with a bubbling flying saucer for comic relief. Now it means protein skimmers, foam fractionators and redox-activated tubifex hydrometers. Bioacoustics Inc., a San Francisco-based firm, markets the Electro-Detecto Fish Fone—"an affordable scientific quality instrument that will add acoustic sensation to your observation of aquatic life ... to help you sense the well-being of your fishes and interact with them." "When fish talk," Bioacoustics bravely vows, "we listen." Five years ago, my aqueous companions would have stuffed their stomachs with slow-sinking pellets. Now they'll gather happily around Nutramatic's automatic feeder ($69.95) as it digitally dispenses nutrient-rich gourmet formulas such as "Emerald Entree" and "Marine Cuisine." When not gobbling bloodworms and brine shrimp, the fishies will bask in the "Aqua Luminaire" Fish Beauty Light ($79.95), designed to simulate ocean sunlight at 6,500k. They'll cavort in the natural tidal surges and currents of the ocean (Wavemakers by Filtronics Inc., $149.95). They'll traverse the gurgling rapids, soothing eddies and tranquil pools of the $500-plus RiverTank Detachable Ecosystem ("A River Runs Through It," coos a brochure).

Promotional incentives sweeten the bait. Ultralife, a distributor of "Fun Playthings for Your Fish—and You!" helpfully includes fresh turbo snails with each purchase. The makers of Lifegard ("The Quietest Countercurrent Pump You Never Heard") want it known they support the Florida Live Rock Alliance. And when these mood-setting devices fail, there's always the guilt trip. "How would *you* like to eat the same food day after day?" ask the makers of Agrabase Products. "When you're ill, *you* want the best care," frets Jungle Fish Care Inc. "Don't your fish deserve the same?" "Imagine the hospital with me for a moment," croons the distributor of a quarantine tank for ailing fish. "It's a dimly lit, warm and quiet place.... As you slip into the water, you can feel the ciliated protozoans sliding off of you. You begin to produce a little more slime, and any sores you have are less painful. You actually feel like eating, since it is so cozy and warm."

Why all the fuss? Because when you keep a saltwater aquarium, you're playing God. A tank is a microworld, a hermetically sealed evocation of a familial, trouble-free community. The consequences of failure are grave. Death—or "fish loss"—is every aquarist's greatest nightmare, as evidenced by the names bestowed upon even the most frivolous of marine embellishments (Ultralife! Lifegard! Coralife! LifeLine!). Unless plied daily with live coral polyps and bits of chopped clam, my Asian Rummy-nose will succumb immediately to a terrifying cycle of Old Testament plagues. "White spot," explains a chart in the store. "Fin rot. Leeches. Dropsy. Death bloom."

Happily, the beginner aquarist, traumatized by fear of calamity, can find solace in the arms of the "aquaculture consultants," the modern pet shop's emissaries of self-esteem. With their talk of "compatibility" and "healing," they can soothe the queasiest fish lover. "We call this 'new tank syndrome,' " apologized Congressional Aquarium's consultant-in-residence, as my pygmy starfish wrapped its arms around my snail and joyfully sucked the meat out of it. "There are strategies for managing aggression."

For support groups of fellow aquarists, budding aquaenthusiasts can log onto Fishnet, now available through Compuserve. But it's the fish magazines—glossy page-turners with names like *Wet Thumb, Practical Fishkeeping, Tropical Fish Hobbyist* and *Aquarium Fish*—that really got me, er, hooked. They are full of useful tips, offered in monthly columns such as "Catfish Corner," "Freshwater Friends" and "Brackish Basics." "The poisonous stonefish can cause death to a person in a few hours, and is therefore not recommended for the beginner" explains one. "But if you account for the possibility of aggressive behavior and the eventual large size, this species will provide hours of delight!" Another must-read is the monthly agony column, "Salt Solutions." "You have more serious problems here than what sort of filtration to utilize, Barney," it scoffs. "The specimens you mention are *very* incompatible!"

Washington, D.C., has its own peculiar aqua-subculture. "This is a high-strung town," says Jay

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Wilkie of Congressional Aquarium. "Folks come in and say, "I want the meanest fish you got." They want fish that tear each other up, that do damage and eat each other. They'll mix the smaller reef fish with the big open-water fish. They find it very entertaining." To accommodate everyone, from snuff-aquarium devotees to communitarian idealists, C.A. has created a scheme of elaborate social classification. Each tank sports a colored label. Green indicates that mild, peaceful, community fish cavort inside. Blue means semi-aggressive: a little meaner than the greens, but generally peaceful with creatures too large to swallow. A red dot means blood in the water. According to Wilkie, political operatives love to watch peaceful, green innocents get eaten alive. "Senator Daniel Inouye is my best customer," Wilkie says. "He comes in here all the time. He buys piranhas." He won't say if William Safire is a regular. •

Oregon's had enough.

ICE CAPADES

By Karen Karbo

On the day Shawn Eckhardt, Tonya Harding's bodyguard and delusional Master of Espionage, is arraigned in Multnomah County District Court, Portland has about it the feel of a bustling metropolis. People cruise the courthouse to ogle the media, who in turn are cruising the courthouse's several entrances hoping to ogle the perpetrators.

In the middle of the newsroom at KATU, the ABC affiliate, sit several huge bags of popcorn. I know if I post myself by the popcorn, I'll meet everyone there, and I do. One of the local anchors is introduced to me as "Steve's going to be on 'Sally' next week!"

When the feed from the national news comes over at 3 p.m., all eyes turn to see Peter Jennings, the dramatically lit onion domes of St. Basil's behind him, covering the Moscow summit. When Jennings goes to footage of Tonya Harding speeding around a rink, the room cheers.

The ABC News correspondents are camped in another room. Someone pops his head out the door and asks what the address is here. A local reporter passes by, shaking his head. "This is all too deep for me," he mumbles.

Tacked on the wall is a long list labeled "Players #s." It lists every contact number imaginable: Tonya's mother; Tonya's friends; the hit man's grandmother; the bodyguard's friend's car phone; the editor of the Tonya fan club newsletter, who checked into a hospital earlier in the week complaining of "depression and despondency."

Three people tell me it hasn't been this busy since the eruption of Mount St. Helen's in 1980. They are happy.

At the Dockside, a favorite lunch spot of longshoremen, the patrons are beginning to find the whole thing ridiculous. Barb is our waitress. She is 65, and wears a button that says, "WAITRESS FROM HELL." She takes an informal poll of the customers: thirteen think Tonya was in on it; three don't; two, both men, are willing to give her the benefit of the doubt. Everyone is agreed on this: Tonya should dump her husband, or whatever he is.

The entire front page of the Sunday *Oregonian* is devoted to Tonya Harding. "PRESSURE MOUNTS ON HARDING." "SCHOOLMATE: ECKHARDT TIED PLOT TO GILLOOLY." "TONYA'S TUMBLE: SHE SEEMS UNABLE TO OUTSKATE TROUBLE."

There is a local Sunday night T.V. talk show called "Town Hall." This week's program is called "On Thin Ice?" The audience consists of psychologists, high school P.E. teachers, media folk and two dozen members of the Tonya Harding Fan Club. Without their hot pink "I BELIEVE IN TONYA!" badges, the club members could be mistaken for an assembly of widows from the Great War. They are small-town people whose town has turned into a city around them. They know Tonya is innocent because they are innocent and she is one of them.

The set is a semicircle of plywood risers, painted blue, covered with worn swatches of shag. The fan club is lined up, hip to artificial hip, on the back riser. The media, which seem to cover everyone not in the fan club, including two young men in flannel shirts and tinted glasses who tell me they are "the Nancy Kerrigan hit squad, I mean fan club, just kidding," are in the front.

After the cameras begin rolling it becomes clear that since Friday, when the show was planned, people have become exhausted: bored with what is basically a bump on the knee or tired of arguing Tonya's innocence. The host has trouble whipping people into a frenzy. The high point comes when he asks a Detroit reporter how the story is affecting Oregon's reputation. The reporter says, "Hey, I'm from Detroit." And this is the high point?

I drive home in the fog, past the place where Tonya Harding's father grew up. The house is gone now, replaced by an office building that faces a produce market where you can buy asparagus for $9.98 per pound in the dead of winter. My father-in-law, a retired car salesman, grew up with Albert Harding in the "old neighborhood," which is now my neighborhood.

Then, during the Depression, it was called Carp Valley because it fronts the river. It was working-class, comprised mostly of Jews and Italians. It was home also to "The Red Army," the neighborhood's nickname for Tonya's father and three uncles, all cantankerous redheads.

"They were an ornery lot," my father-in-law says. "There didn't seem to be a father around. Al, that's Tonya's father, worked selling shoes in Idaho, then I heard he was driving a truck. Now, I think he's unemployed. Nobody liked The Red Army much."

I tell him that on the long list of Tonya contact phone numbers posted at KATU, his was not listed.

"Poor kid. That's all part of her problem, isn't it?"

KAREN KARBO is author of *The Diamond Lane*, a novel (Overlook Press).

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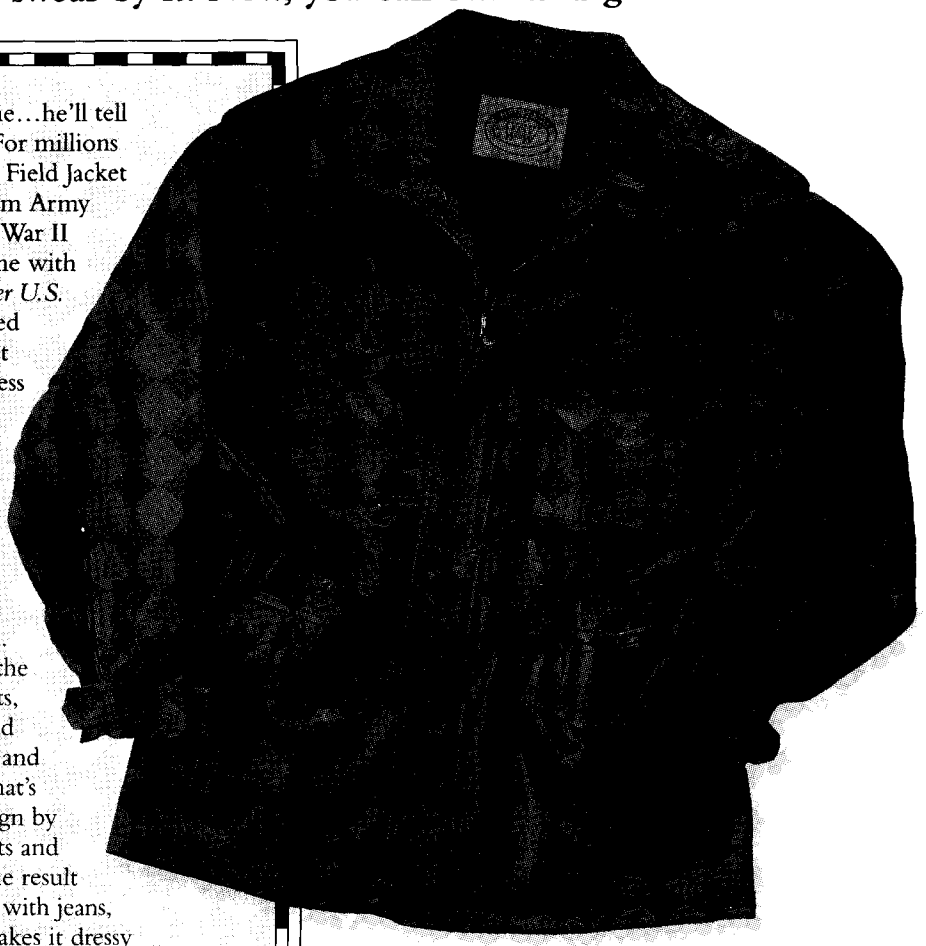

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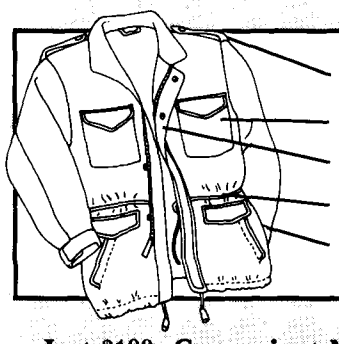

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A visit with Sudan's despot.

KHARTOUM CHARACTER

By Joshua Hammer

Muhammad Bashari steered his battered yellow taxi along the bank of the White Nile, peering nervously into the rearview mirror. "Do you see anyone behind us?" he asked. He sped through the near empty streets of Khartoum, passing white-robed herdsmen and their goats. We were going to interview a leading oppositionist, and Muhammad feared surveillance. Earlier, he had spotted two plain-clothesmen watching us in the lobby of the Khartoum Hilton; that was when he handed me the name of his friend at the U.S. Embassy. "He got me out of jail last time after only eight days," Muhammad said.

I met Muhammad my first evening in Khartoum, an arid city of palm trees and minarets at the confluence of the White and Blue Niles—the crossroads of Africa and Arabia. I had come to investigate reports that the National Islamic Front, Sudan's ruling party, was covertly sponsoring international terrorism charges that led to its being placed on the State Department's black list last August. But I became even more intrigued by the transformation of the once democratic Sudanese society wrought by the NIF. In just four years, they've banned political parties, shut down the press, tortured thousands of oppositionists in "ghost houses"—unmarked residences hidden away on Khartoum's outskirts—and carried out Koranic, or sharia, law with a vengeance. This process has not only destroyed the economy and forfeited Western development aid, but has instilled fear and loathing in much of the population.

Muhammad was no exception. A paunchy, pleasant-faced attorney in his 40s, he quit the bar after the NIF seized power in a military coup in 1989. He said it was difficult to work in a legal system packed with Islamic zealots—and he realized that he could make a bundle as a $150-per-day guide for Western journalists. The decision had cost him. He had been investigated, followed and interrogated by the police; I thought it prudent not to use his real name in this article. As we drove through Khartoum, looking for black market gasoline at $7 a gallon, he vented his frustration. "The NIF cleans the streets—but most of all they clean our stomachs," he said.

Khartoum has indeed been drained of its natural, African vitality. Liquor, nightclubs, Western movies and discotheques are all banned. (I spent many disgruntled evenings at the Hilton's Sunset Lounge, drinking "favorite cocktails and after-dinner drinks" like guava and lime juice.) State-run T.V. airs little but Islamic conferences and footage of government soldiers in southern Sudan. About the only entertainment that the NIF permits is soccer. Muhammad and I watched Khartoum play Port Sudan at Khartoum stadium. Some 25,000 men (women aren't allowed) cheered wildly and munched sunflower seeds, savoring a cathartic escape from government control. "Some NIF people want to ban football, too," Muhammad told me. "But they know if they did that the people would rise against them. They would be finished."

All Sudanese office workers are now obliged to join the Popular Defense Force, an Islamic paramilitary group. Everywhere here you see men and women clad in coffee-colored uniforms, chanting Islamic slogans ("God is great! We are ready for the enemy!") as they jog through the streets. I accompanied one group of bank worker "volunteers" to a dirt field by the confluence of the Niles. Panting Arabs with hefty guts performed a two-hour regimen of exercises alongside jet-black Dinka tribesmen from the Christian south. Employees looked away when I asked what would happen if they refused to participate. (One man whispered they would lose their jobs.) "We want the roots to grow deep and change the manner of the people," the bank's chairman, a leading member of the NIF, told me. "We want to rebuild the culture according to Islamic principles."

The principal architect of the NIF's revolution, party chairman Hassan al-Turabi, speaks perfect idiomatic English punctuated by weirdly disarming little giggles. Clad in a white turban and traditional white robe known as the *jelabia*, Turabi sipped tea and spoke about how Sudan had "created an inspiring example for the whole world." I asked him about the Sudanese martial arts expert who had attacked and nearly killed him in 1992 at Ottawa's airport. The assassination attempt reportedly terrified Turabi, who now is said to sleep in a different house nearly every night. Turabi just giggled. "A black belt in karate and he couldn't even kill me with four blows," he said. "It made a symbol of Islam. Now I am famous all over the world." Turabi denied the existence of ghost houses, claimed the economy was booming and said the cutoff of aid was good because it rid the country of Western dependence.

My last morning in Khartoum, we drove to meet Muhammad Ibrahim Nugud, a distinguished attorney and leading anti-government politician who spent two years in jail between 1989 and 1991. We wound through sandy back alleys to evade the cops. Nugud is watched round-the-clock, but nobody was visible outside his walled compound this day. "They've taken their morning tea break," Nugud said. He had been up all night coordinating defense strategy for an imminent treason trial of top opposition members. He looked bleary-eyed and depressed. "Everybody knows the lies, the phony success stories," he said. "But we are filled with fear." My guide dropped me at the airport an hour later, still uncertain whether our expedition had jeopardized his safety. "Wish me luck," he said. Then he drove away, finished—for now—with his dangerous game.

JOSHUA HAMMER is *Newsweek*'s Nairobi bureau chief.

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Los Alamos's retro resort.

ACID CANYON

By Douglas Coupland

The local oldies station, KBOM 106.7 ("We don't glow, but we're radioactive!"), plays Peter Frampton's "Do You Feel Like We Do?" as we skim over a chewing-gum pink road built of gravel hewed from nearby "Bugs Bunny/Road Runner Hour"-like mesas. Climbing the steep grade of New Mexico Route 502, we pass an unmarked white eighteen-wheeler sandwiched front and back by pairs of Chevy Suburbans with blacked-out windows. The Suburbans are a miniplex of antennas, dishes and wires; communications between all five vehicles crackle almost visibly, like Van de Graaff generator sparks. The bodyguarded eighteen-wheeler is heading up Pueblo Canyon to the Los Alamos National Laboratory, carrying a load of well, er ... [*insert the name of something extremely frightening here.*]

Los Alamos, population 18,000, eighty miles north of Albuquerque, is a must-see destination for a small, emerging, dedicated band of "nuclear tourists." It is a defense contracting-based town, home of the Los Alamos National Laboratory, which is managed by the University of California (five-year contract recently renewed). It has to its credit, among an extraordinary number of other nuclear inventions, the honor of being the place where the first nuclear bomb was built. It is part of a travel menu that includes the fabled "Doomtowns" of the Nevada Test Site, the aging plutonium production culture of Hanford, Washington's Tri-city region (Richland/Pasco/Kennewick), the Missile Garden of Alamogordo, New Mexico, and Trinity Site, near Alamogordo, home of the world's first nuclear detonation.

The town's main nuclear tourist destination is the Los Alamos Sales Company—probably the world's only dealer in what owner Ed Grothus calls "nuclear waste." (In fact, it sells nonradioactive cast-offs from the Laboratory.) Set atop a lovely hill tufted with ponderosa pines and junipers, the company is housed in two structures: an A-frame that was once a Missouri Synod Lutheran Church and a small supermarket (the "Shop 'n' Cart") that went out of business in 1985.

To tour the "Black Hole," Grothus's affectionate nickname for his facility, is to tour a land of dead technologies and dead ideologies. Old signage hangs from the supermarket's sagging, water-stained ceiling—AISLE 2: SOAP, BLEACH, DETERGENTS, FABRIC SOFTENER, DOG FOOD and CAT FOOD. The aisle now contains a jumble of dusty petri dishes, potentiometers, O-rings, microphones, liquified gas dewars, pre-amps, glass piping, vacuum jars and "-O- meters" of every description.

In the church there are four Noguchi podlike lights hanging from the ceiling's apex. The pulpit is stuffed, helter-skelter, with dead adding machines and attenuators. Where pews once sat, there lies a Toyota-sized linguini of black multipair cables. The structure is full to overflowing with the chassis of ammeters, D.C. voltmeters, microfiche reading machines, thermocouples, paper-tape punch control devices. Broken radio tubes, lost SHIFT keys, wire fragments, number plates, transistors, patches of rust and cogs litter the floor. Honeywell seems to have done very well by Los Alamos. Ditto Union Carbide, Polaroid and Kodak. Some of the products and their names and makers have a touching, dated, extinct or nearly extinct feel to them:

- a vaporizer by Chryo-Chem Inc. of Carson, California
- a Heiland Strobonar 91B
- a single-phase insulated transformer by the Square D Co. of Milwaukee
- the Racal-Vadic VA3434
- a D.T.-360 from the Data Technology Corp.

There is a December 1975 issue of *Datamation* magazine, covered in pine needles, near a rear door; a date book is opened to September 23, 1980, as if that were the day, in a sci-fi movie, time came to an end.

Los Alamos, like most other defense-based civic economies, is searching for ways to repurpose itself. And as with so many other cold war-era tech towns, its mood is reflexively conservative. President Clinton's swords-to-plowshares speech here last year met with tepid response. As Grothus says, "Everybody turned out, but Los Alamos isn't Clinton country." Santa Fe, thirty-five miles to the south, is looked on as an ideological threat. New Age is pronounced "newage," to rhyme with sewage. The joke *du jour* is, Q: "Why did the Santa Fean cross the street?" A: "He was channeling a chicken."

Though the new Chamber of Commerce guide pitches the post-cold war Los Alamos as "a superior recreation and tourism destination," the city exudes denial. It has the time-stunted feel of having been constructed sometime between the Rosenberg trial and the year "Bewitched" went off the air. Street names include: Kristi Lane, Scott Way and Tiffany Court. There is virtually no architectural evidence of the 1980s—or even the late 1970s. There does exist, however, an aura of low-grade, Pynchonesque paranoia. High school kids speak easily of "Acid Canyon," a nearby locale where toxics allegedly were dumped, and of "brain cancer and leukemia clusters." Cub Scout badges once touted mushroom clouds.

As for 70-year-old Ed Grothus, he is beginning a slow liquidation of his inventory so he can pursue other interests, most notably a Museum to the Nuclear Age, filled with the best of the best of what he has salvaged over the past forty years.

He'd better hurry up. The newspapers have been flooded with news from Energy Secretary Hazel O'Leary's "openness initiative." In recently disclosed Los Alamos experiments of the 1950s and 1960s, peo-

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ple, children included, swallowed or breathed radioactive materials to study the effects of radiation on the body: iodine in the thyroid, encapsulated uranium and manganese in the intestinal tract. There were baptisms by tritium and dinners of zinc and cesium. And in all probability the machines that manufactured these capsules, powders, broths and solutions, these dreadful snacks, quietly sit, covered in dust and perlite, locked in a death-dream of tract housing and dogs in orbit, deep inside the Black Hole.

DOUGLAS COUPLAND is the author of *Life After God* (Pocket Books).

YEREVAN POSTCARD

TINDER BOX

By Anna Husarska

Armenia now has, perhaps, the world's most aptly named currency: the *drama*. After its introduction in November, jokers here immediately came up with the name for a fictional smaller denomination: the "melodrama." (Inflation has rendered the melodrama irrelevant, however. In two months, the *drama*'s exchange rate with the U.S. dollar has gone from 14 to 1 to 77 to 1.) The Armenian authorities also devised an imaginative scheme to sell their currency abroad. As a collector's item. The foreign ministry entrusted the embassies with the job of handling the transactions. "The sale of *dramas* abroad as souvenirs might help. We could probably raise $1.5 million," said Aram Abramyan, a spokesman for President Levon Ter-Petrosyan.

Armenia may be independent—the country broke away in 1991—but its currency chaos has all the characteristics of a Soviet-run operation. Two other currencies continue to be used, even after the birth of the *drama*: the old Soviet ruble (bearing hammer-sickle-Lenin) and the new Russian ruble (bearing the Russian flag). Old rubles, abandoned in other ex-Soviet republics, are being smuggled en masse into Armenia, and their value is plummeting. New rubles are being treated as foreign currency. When I befriended a shop clerk here, we made the strangest black market deal of my life: I gave her $1 and she gave me ten *dramas* (collector's item), a few thousand old rubles (dustbin item) and some new rubles (hard currency of sorts).

Sometimes inflation doesn't even matter. Bus fare has quadrupled, for example, but there are no buses running, for lack of gasoline and diesel fuel. When the price of natural gas tripled, it was another piece of theoretical news: it's been two years since most of Yerevan's apartments have been supplied with gas for heating and cooking. Even the hotel for foreigners is arctic. I slept in *every* garment I had in my bag, long johns serving me as a fluffy turban-cum-chador. I had no problem with being cold while washing, though; the hotel has water only intermittently and never in the morning.

Winter days in Yerevan (where 1.5 million people or a third of the country's population lives) end with a de facto 5 p.m. curfew because there is no electricity to light the streets or houses (candles and batteries are so precious they should be sold in jewelry stores). A whole new *savoir vivre* has grown up around this necessity. When I spoke with Armenian journalist Karen Topchian, he lit his face with a flashlight and I did the same. After those gestures of courtesy, I saw his expressions only when he was puffing on a cigarette—which was often enough.

Every household has an average of one or two hours of electricity a day—and there's a very hectic moment when all the cooking, washing, recharging of batteries, T.V. watching etc., is done at once. Gas and diesel can be bought only on the black market: the sale is done directly from cistern trucks, parked on the side of the road. The prohibitive prices are written in chalk on their tanks. Traffic is scarce because few can afford the fuel; many people walk, or stay indoors, in an attempt to hibernate.

After a few days of this I was understandably eager to meet Armenia's minister of energy, Sepuh (Steve) Tashjian, who turned out to be a very friendly and outspoken Armenian-American (M.A. in nuclear engineering and twenty-one years as an executive with Southern California Edison). Tashjian's tale verged on the apocalyptic. The three main sources of energy in Armenia (nuclear, hydro and oil/gas) are failing. The country's two nuclear reactors were shut down in 1989, following an earthquake that killed 25,000 people and left half a million homeless. Having this plant operate twenty miles from the capital and in the middle of an earthquake zone didn't seem to be such a great idea. When Tashjian announced, "We are working on re-opening one of the units of the nuclear plant," the temperature in his office seemed to drop even further.

"Are there no alterna...?" I started. "No. We have to choose the lesser evil," he interrupted, explaining that hydroelectric plants along the Razdan River could not draw any more water from the Sevan Lake without turning it into a marsh. Because of low rainfall, the lake's level has fallen fifty feet in forty years. In 1979 a ban on further draining went into effect.

Nature is tough on Armenia but geopolitics is no easier. This landlocked country is in its third winter of a near total oil and gas blockade imposed by neighboring oil-rich Azerbaijan. The two countries are fighting for possession of Nagorno-Karabakh. To the north lies Georgia, which has a civil war of its own; to the west is Turkey, a longtime enemy of Armenia. (The Turks, ethnically close to the Azeris, have never acknowledged the

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1915 genocide in which an estimated 1.5 million Armenians were killed.)

The railroad through Georgia that would bring oil to Armenia from Russia (shipped by freighters across the Black Sea) has been closed for a year and a half because of the war there. Natural gas deliveries have also been interrupted by the war; there have been almost constant, debilitating attacks on the pipeline that runs through southeastern Georgia.

Last year Tashjian signed contracts to import electricity from Turkey and oil from Iran—neither was fulfilled. Perhaps airlifting fuel is a solution? Well, perhaps not: in December a plane crashed in Armenia killing thirty-six passengers. It carried twice as much weight as allowed, and the cargo consisted mostly of canisters of petrol.

I did not need to ask Tashjian how people heat their apartments: everywhere tree stumps line the roads. I have seen people transporting branches and pieces of wood on sleighs, and I have seen primitive homemade iron stoves. Some here say that since the telephone works only sporadically, telephone poles should be used as lumber when people run out of furniture and books to burn. To the list of disasters facing his country Tashjian added deforestation: in 1993, 1.5 million trees were chopped down. This year, I thought as I carefully made my way down the ministry's unlit staircase, fewer trees will be destroyed, because fewer are standing.

That night I shivered in my bed, but at least I knew why I shivered. And when the next day my mittens were stolen during the eight-hour wait at Yerevan airport I felt more a benefactor than a victim. •

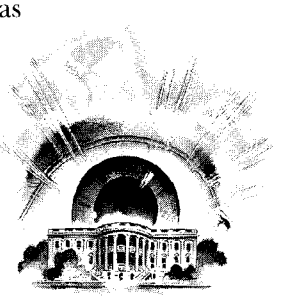
WHITE HOUSE WATCH

MR. MOUTH

By Fred Barnes

The idea was hatched last November at a White House planning session. During President Clinton's visit to Prague, a nice photo opportunity would be a walk across the ancient Charles Bridge with Czech President Vaclav Havel, followed by a friendly chat over a couple of beers. The walk would have symbolic value (you know, crossing over to the post-cold war world, etc.). It would be a nice break from substantive events on the president's eight-day European trip. So on January 11, Clinton and Havel started their walk. On the bridge they encountered two men who interrupted the photo op. The men weren't Czechs or strangers. They were Tom Brokaw and Dan Rather, pre-positioned to interview Clinton on Bosnia, the economy of Eastern Europe and Congress.

The anchormen were part of a seemingly incurable problem for Clinton: overexposure on television. This is no small matter. Every president since John F. Kennedy has struggled with how much time to spend on T.V. Television is ravenous. The most popular sitcoms last only a few years, and the public loses interest in politicians who are overexposed, like Ross Perot. The optimal amount of T.V. play is just enough for the president to project his leadership and promote his policies—without jeopardizing the gravity of the office. But it's hard to hit this happy medium. Kennedy managed to, but he had to resist persistent pleas from aides to conduct a series of televised fireside chats. Ronald Reagan scored on T.V. by concentrating on scripted speeches and a few press conferences (forty-eight in eight years). George Bush avoided T.V., erring on the side of underexposure. It cost him.



Clinton has overlearned the lesson of Bush. He lets no thought go unspoken on T.V. He's adopted what Marlin Fitzwater, press secretary to Reagan and Bush, calls "the Colin Powell strategy, a massive show of force." Clinton appears everywhere: "Meet the Press," MTV, C-SPAN, "Larry King Live." He's been interviewed still sweating after his daily jog. All this is on top of normal presidential events, many designed specifically for television. Returning from Europe on January 16, Clinton appeared on T.V. twice the next day to comment on the Los Angeles earthquake. Two days later, he toured L.A. with maximum media coverage. Then, to commemorate his first year in office on January 20, he agreed to join Larry King, taking questions from callers. Clinton's approach emphasizes quantity over selectivity. Aides boast of the nearly four hours of time he got on "Nightline" during the European trip.

The price for all this is high. He has ignored President Franklin Roosevelt's dictum that the public won't "be attuned for long periods of time to a constant repetition of the highest note in the scale." Clinton is chronically on war footing, talking incessantly about the latest "crisis," staying in campaign mode. As a result he has devalued the presidential pronouncement to the point that reporters who cover the White House pay little attention to many of his T.V. appearances. Whatever the situation, complains a Democratic strategist, the White House trots out Clinton. "The president's presence is an asset that shouldn't be cavalierly spent. It's not a bottomless asset." Fitzwater insists there's a downside to overexposure: "People get tired of their president." When that happens, "suddenly you find no one's listening anymore," concedes presidential counselor David Gergen.

Clinton himself is sensitive to overexposure, but helpless to stop it. He often asks aides if he's getting too much exposure. No, they answer. But Gergen and

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George Stephanopoulos told Fitzwater (in interviews for a BBC special on the presidency and the press) that it's a problem Clinton must guard against. "Overexposure comes when you do too many speeches on television at night and/or you're on the evening news every night commenting on the passing parade," Gergen told me. "Do I think we're right on the edge? Yes. Do I think it's a serious problem now? No."

Since early last fall, Gergen and other aides have tried to limit the president's exposure. They've failed, most glaringly on the European jaunt. In early December Gergen got a call from Ted Koppel proposing to do a minimum of four shows on a behind-the-scenes look at Clinton's pursuit of foreign policy. "I was interested," says Gergen, chiefly because it would show the president dealing "with an issue on which he'd been under assault." Gergen raised the proposal with national security adviser Anthony Lake and scheduler Ricki Seidman, then with Clinton. They liked it, too. And in the end, Koppel did six consecutive shows on Clinton's trip.

But the arrangement created a problem with the other networks. They'd be furious if ABC got exclusive access. Thus, two days before Clinton's departure, Gergen called Barbara Cochran of CBS and Tim Russert of NBC and asked what their networks wanted. What they got were interviews with Clinton by their anchormen (on the bridge) and, separately, by their chief White House reporters. CNN got an interview, too. This much exposure was risky. Clinton would have gotten plenty of attention anyway. And the president was embarrassed twice. When Jim Miklaszewski, NBC's White House correspondent, asked two questions about Whitewater, Clinton huffily cut off the interview. NBC didn't run it, but "Nightline" did. Twice. And Clinton was subjected to a lecture by Koppel on how he'd "lost it a little bit" when questioned about Whitewater.

The White House theory behind Clinton's relentless media presence is that it's right for the times. "You inherit a climate from your predecessor," says a White House official. "One of the things we inherited was a presidency out of touch with the people. Another was a chief executive who wasn't articulate. Another was a president not at all at ease with common people. Clinton got elected by having some of the strengths George Bush didn't have. And he has an activist administration. You risk overexposure on the one hand if you want to get something done on the other."

The risk is not just overexposure. The question bothering people when Clinton first arrived in Washington was whether he was presidential. A year later the question lingers. Part of being presidential is holding something back. Bush, for example, had rules about the dignity of the president. He wouldn't let T.V. cameras on Air Force One, where Koppel interviewed Clinton. "He felt that was part of the presidential mystique," Fitzwater says. With Clinton there's no mystique, nothing held back. Since he's reasonably popular and successful, some aides believe the Clinton formula is working. "He hasn't been proven wrong," admits Fitzwater. Not yet. •

The disease lobbies vs. new drugs.

UNDERDOSE

By Hanna Rosin

About the only interest groups Bill Clinton doesn't have to worry much about in his battle for health care reform are voluntary health agencies (VHAs)—groups representing Americans with diseases, such as the AIDS Action Council, the American Cancer Society and the Alzheimer's Association. They were won over by Ira Magaziner, Clinton's health policy guru, at a meeting in Washington on December 16, 1993. Joe Isaacs, president of the National Health Council, an umbrella organization of forty voluntary health agencies, declared after the hour-long session that "most of us now see the Clinton plan as the one with the most virtue." And though the council hasn't formally endorsed the plan, it did issue a press release declaring guaranteed universal coverage the highest priority of reform.

The enthusiasm is understandable. Many of the 150 million Americans who suffer from diseases represented by various VHAs have been denied access to coverage because of clauses against pre-existing conditions, which the Clinton plan would eliminate. But in their euphoria over the prospect of guaranteed coverage, the VHAs have overlooked the Clinton plan's debilitating effect on biomedical research, which may discover the drugs to cure diseases such as AIDS, cancer and Alzheimer's. With its emphasis on low-cost care and cheaper drugs for all, the plan threatens to turn research into a luxury.

But the VHAs, who have fought to secure billions of research dollars in the past, seem to have forgotten about research. The National Health Council's statement of principles for health care reform includes just one line about research, way at the bottom of the page, declaring blandly that reform "should promote continued innovation." For the AIDS Action Council, which represents 1,000 AIDS organizations, research is not even among the five criteria for change. At a December 8, 1993, hearing on research, the only one planned on the subject, not a single group showed up to testify. This has left a significant vacuum, since the groups are uniquely positioned to ensure that research remains a priority. Over the past five years they have honed their skills both as grass-roots agitators and as congressional lobbyists. In the late 1980s AIDS and breast cancer groups, the two most successful constituencies, fought for and won unprecedented annual increases of 20 percent in their multibillion-dollar NIH research budgets.

Instead, the various groups have harnessed this lobbying power to ensure that their particular disease is cov-

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ered under the basic plan. The Breast Cancer Coalition is pushing to lock in mammograms for women in their 40s, despite widely accepted research that says the test is unnecessary for women under 50. AIDS groups have focused on securing coverage for off-label drugs, which have been approved by the FDA for other diseases, but which may also work for AIDS. And the Alzheimer's Association has launched a successful initiative for the coverage of long-term and home-based care provisions. "There may not be a lot research can do immediately," says A.A. Director Steve McConnell. "But the concrete things Clinton offers are excellent."

Not only have the VHAs failed to support research, they have joined the chorus blasting pharmaceutical companies. "When we go to their exhibition areas and see huge displays, gifts for doctors and cocktail parties on boats as big as the *Queen Elizabeth* we wonder how much profit is enough," says Abbey Meier, director of the National Organization for Rare Diseases. Meier isn't alone in her views. The National Health Council strongly supports Clinton's proposal to slash drug prices. "All the voluntaries see a huge waste of money," Meier says. Not a single VHA has responded to the industry's pleas to join in the fight against regulation, which it fears will sap financing for new drug research. "What do low prices matter if you don't have a cure?" laments one executive.

The VHAs respond by pointing to a provision of the Clinton plan that bolsters financing for the National Institutes of Health. The provision recommends a $400 million increase in the NIH's $10.9 billion budget in addition to normal appropriations increases for 1995 and $500 million for every year through 2000. But while the money is a good sign of support, the VHAs are missing the rest of the story. Far more important is the plan's expected effect on the university hospitals that train medical specialists and perform almost 90 percent of government-financed research.

The Clinton plan will put the squeeze on hospital research in two ways. First, it slashes direct Medicare and Medicaid funds to hospitals by at least $110 billion over five years. Second, it forces research hospitals to cut their own funding, by pricing them out of the market. Currently, university and research hospitals charge about 25 percent more than community hospitals, according to a recent study in *Health Affairs* magazine. The extra money goes to fund training and research, and accounts for about 40 percent of most hospital research budgets. But the Clinton plan's managed care rewards low-cost providers, so in order to compete, these hospitals will have to cut back on training and research. "Community hospitals will undercut prices and leave us high and dry," says Herb Pardes, director of the Columbia University Medical Center. "When we respond by scaling back research, American medicine will take a drop into homogenized, low-class medicine."

The administration says lost revenues will be made up by a $9.6 billion increase in funds for medical education, and by coverage for the previously uninsured. But a recent study by the Greater New York Hospital Association concludes that the extra revenue would not make up the shortfall, leaving a gap of $4 billion over five years in New York alone. New York hospitals, like those in most urban centers, would be especially hard hit, since they rely disproportionately on Medicare and Medicaid and conduct 15 percent of the nation's research.

Without the established contacts and the broad-based appeal of the disease groups, hospital directors and scientists have been left to fend for themselves. "We're suddenly realizing we have no sponsors out there, and we have to explain to people what we do," says Frank Fitch, president of the Federation of American Societies for Experimental Biology. The group is scrambling to conduct a survey of health care reform's effects on academic health centers, and many of its members, such as the American Society for Cell Biology, have hired lobbyists to make their case. Last month, fifteen directors of academic health centers, including Pardes, met with Magaziner to discuss their concerns. "They said, 'Don't worry, don't worry,' " says one of the directors, "but somehow I don't believe it." •

Why the Cooper plan won't wash.

COOPER POOPER

By Harris Wofford

After a season of new health care proposals, political posturing and broad-brush propaganda by private interest groups, Congress is about to get down to work on crafting a comprehensive health care plan. The final result should be a private-sector system that has lower inflation than our present one, has less bureaucracy and offers greater individual choice among doctors and health plans.

That happy prediction is based on something like Winston Churchill's wartime faith in the American people. In 1941, when Britain's survival hung by a thin transatlantic lifeline, Churchill said he was confident that the Americans "in the end will do the right thing . . . after they have tried every other alternative."

Doing the right thing in health care means achieving two basic goals: guaranteeing coverage for every American and checking the escalation of costs. The challenge is for members of Congress to reach across ideological lines and work with the president to overcome the resistance to reform that thwarted Harry Truman and Richard Nixon alike. Political fantasy? No. Pennsylvania's 1991 special election showed that health care is too important to ignore. It's a problem not only of the poor and uninsured, but of the middle class, which is

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concerned about the cost and security of its coverage.

So now there are plenty of "reform" plans on the table, most importantly the president's Health Security Act, of which I am a co-sponsor. THE NEW REPUBLIC, in a recent editorial ("For the Cooper Plan," December 6, 1993) is right that no measure will pass without the support of proponents of Representative Jim Cooper's plan (and backers of Senator John Chafee's Republican proposal and Representative Jim McDermott's "single-payer" plan). And it's right to discard proposals like Senator Phil Gramm's as "hardly worth taking seriously" because they do so little to achieve universal coverage or limit rising costs. But to ask Congress to accept only the half-steps proposed by Jim Cooper is to risk losing a historic opportunity.

As thoughtful as he is, Cooper's bill does not do what needs to be done. He promises "universal access," but that's not saying much. As my colleague Tom Daschle puts it, we all have "universal access" to Rolls Royce dealerships. That doesn't put us behind the wheel. In fact, according to the Congressional Budget Office, Cooper's plan would leave 22 million people without coverage. Yet a recent NBC/*Wall Street Journal* poll shows that 78 percent of Americans see guaranteed coverage as the sine qua non of health reform.

Changing certain insurance industry practices will improve the availability of coverage: portability of coverage from job to job, a prohibition against denying coverage on the basis of pre-existing conditions. These are part of the Cooper plan—and the president's—but they don't guarantee universal coverage. Health plans must also be required to "community-rate." That is, they must charge all enrollees in a certain area the same amount. Without this step, they will still discriminate against people: not by excluding them but by charging them exorbitant premiums.

While Cooper's plan reflects a healthy skepticism about government's ability to solve every problem, it shows how a little reform can be a dangerous thing. He calls his plan "Clinton-lite." It has the distinction of being both less filling and more expensive. For the Cooper plan is "lite" on reaching comprehensive coverage, but it's heavy on family pocketbooks—as well as the national budget. Unlike the president's plan, the Cooper bill would increase the deficit by some $70 billion over five years, according to CBO/Joint Tax Committee estimates. That doesn't sound very "New Democrat" to me. Nor does the plan's reliance on the IRS: it would create a new layer of government paperwork for every employer by having the agency enforce the cap on tax deductibility.

The Cooper plan would do nothing to reverse the present trend toward limiting people's choice of their own doctors and pressing them into low-cost HMOs. Indeed, by making employers pay taxes on any health premiums higher than those of the lowest-cost plans, it would speed up the process of restricting choice.

Like the president, Cooper proposes reducing the rate of growth in Medicare and Medicaid. But he does so without controlling spending on the private sector side. As a result health care providers will shift costs, as they do today, by charging their privately insured patients more. Unlike the Health Security Act, the Cooper bill includes no protection for early retirees, who are increasingly seeing their coverage cut off by former employers. It doesn't begin to face the challenge of long-term care. And it doesn't cover prescription drugs for the elderly.

Crafting health care reform isn't a multiple-choice question with one right answer; it's an essay in which many primary sources contribute to the final product. Cooper himself lists fifteen similarities between his proposal and the president's, as well as eight key differences. He calls the plans "first cousins" and suggests a "family reunion" in any final legislation.

The most fundamental agreement is that competition should be promoted by regional purchasing groups through which individuals and businesses would buy coverage. Cooper calls them "Health Plan Purchasing Cooperatives"; the president calls them "Health Alliances." But this rose by either name is the agency for the "managed competition" Cooper has championed. Cooper should declare victory (and Congress should adopt many of his provisions to assure that the groups are consumer-run cooperatives, not new government agencies). The common ground also includes a standard claims form, electronic billing and consumer "Report Cards" on the competing plans. And there is agreement that Medicaid should be replaced, so the poor can have the same choices as everyone else.

So what is holding us back? Rhetoric aside, the fight is over this: Should employers continue to pay health care premiums and should the present employer-employee contribution system be extended to all employers and their workers who are uninsured? Or should the only "mandate" be put on individuals and families, with the help of some new government subsidies?

Supporters of the Cooper and Chafee plans aren't willing to insist that all employers contribute. That may appear like political practicality. But it runs into a harsh reality: any plan that does not provide for a shared employer-employee responsibility would put great financial pressure on companies to dump coverage and shift billions in cost onto working families. The fact is most insured Americans now receive coverage through employers. The Cooper plan could mean that a family earning $30,000 per year would have to spend what *The New York Times* labeled a "merciless" $5,000 per year for basic coverage.

Restraint may be a virtue. Far more virtuous, however, would be to fulfill Truman's promise of universal, private health insurance. Jim Cooper's proposal fails that test. So having considered the alternatives, we should in the end, as Churchill suggested, "do the right thing."

HARRIS WOFFORD is a Democratic senator from Pennsylvania.

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No exit

By Elizabeth McCaughey

If you're not worried about the Clinton health bill, keep reading. If the bill passes, you will have to settle for one of the low-budget health plans selected by the government. The law will prevent you from going outside the system to buy basic health coverage you think is better, even after you pay the mandatory premium (see the bill, page 244). The bill guarantees you a package of medical services, but you can't have them unless they are deemed "necessary" and "appropriate" (pages 90-91). That decision will be made by the government, not by you and your doctor. Escaping the system and paying out-of-pocket to see a specialist for the tests and treatment you think you need will be almost impossible. If you walk into a doctor's office and ask for treatment for an illness, you must show proof that you are enrolled in one of the health plans offered by the government (pages 139, 143). The doctor can be paid only by the plan, not by you (page 236). To keep controls tight, the bill requires the doctor to report your visit to a national data bank containing the medical histories of all Americans (page 236).

If these facts surprise you, it's because you haven't been given a straight story about the Clinton health bill. Take two examples: on November 4, Leon Panetta, the director of the Office of Management and Budget, testified to senators that the bill does not "set prices" and "draw up rules for allocating care"; a month later Hillary Rodham Clinton assured a Boston audience that the government will not limit what you can pay your doctor. The text of the bill proves these statements are untrue.

The administration also says that the bill will not lower the quality of your medical care or take away personal choices you now make. This statement goes right to the issues that matter most. How true is it? To help you decide, here is a guide to the 1,364-page Health Security Act.

No effort is made here to compare the Clinton bill with the many alternatives offered by Republicans and other Democrats or to assess the nature and extent of the health care "crisis." The purpose is to answer one question: Under the Clinton bill, if you become ill, will you be able to get the treatment you need and make choices about your own health care?

The Law Will Make You Get Health Care Through Your "Alliance." Under the bill, unless you get Medicare, military benefits or veteran's benefits, or you or your spouse work for a company with more than 5,000 employees, you must enroll in one of the limited number of health plans offered by the "regional alliance" where you live (page 15). Regional alliances are government-run monopolies that select health plans, collect premiums from residents and their employers and pay most of the money to HMOs and insurers. If you fail to enroll, or the plan you choose is oversubscribed, alliance officials will assign you to one (pages 144, 146). The goal is to curb health care spending by limiting what *every* American is allowed to pay for health insurance. Restricting how much people can pay for insurance limits how much money is in the pot to take care of them when they're sick.

The Health Care You Can Get Will Be Limited. Under the bill, a National Health Board—seven people appointed by the president—will decide how much the nation can spend on health care beginning in 1996 (the baseline year). Based on that national budget, the board will set a budget for each region and a ceiling on what the average health plan in the region can cost. The bill outlaws plans that would cause a region to exceed its budget or that cost over 20 percent more than the average plan. After 1996, increases in health plan premiums will be strictly limited by an "inflation factor" based on the consumer price index (pages 256, 984-987, 990, 995).

Putting price controls on premiums to limit the amount of money in the health care system might wring out waste during the first year or two, but there is no doubt it will cause hardship later on. Seventy-seven million baby boomers will be reaching the age when they need more medical care. Increasing numbers of teen pregnancies and low-birth-weight babies also will require more health care dollars—$158,000 on average for each severely underweight newborn. Even the bill's authors anticipate that restricting the dollars available for health care in the teeth of these trends will produce grave shortages: the bill provides that when medical needs outpace the budget and premium money runs low, state governments

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and insurers must make "automatic, mandatory, nondiscretionary reductions in payments" to doctors, nurses and hospitals to "assure that expenditures will not exceed budget" (pages 113, 137).

Above a threshold level of quality, alliance officials will approve health plans based on lowest cost, not highest quality, to stay under the premium ceiling set by the National Health Board, explains Cara Walinsky of the Health Care Advisory Board and Governance Committee, which advises 800 hospitals worldwide. That is why Anthony L. Watson, chief executive of the Health Insurance Plan (HIP) of Greater New York, is optimistic. If the Clinton bill passes, "New York is mine," he told *The New York Times*. "I'm going to be the lowest-cost plan." HIP, with a physician staff that is 57 percent foreign-trained, already has what that newspaper calls "the image of being the least desirable health care option for city workers and others who cannot afford anything more."

Staying With the Doctors You Use Now Will Be Hard. Deciding for yourself when to see a specialist or get a second opinion and selecting the hospital you think is best will be even harder. The bill is designed to push people into HMOs, which restrict your choice of physicians and hospitals, and use gatekeepers to curb the use of specialists, expensive tests and costly high-tech treatments. What most of us call fee-for-service (choose-your-own-doctor) insurance will be difficult to buy. The ceiling on premiums and the 20 percent rule will eliminate most fee-for-service plans, which tend to be more expensive than their pre-paid counterparts. Although the Clinton administration insists that Americans always will be able to choose fee-for-service insurance, experts such as Dr. John Ludden, medical director of the Harvard Community Health Plan, say that option will "vanish quickly."

Even where it is possible to buy fee-for-service insurance, it will be hard to find doctors practicing on that basis. According to Walinsky, the Clinton proposal contains "very strong incentives" against fee-for-service "on the consumer side but also on the provider side." Price controls on doctors' fees and other regulations will push doctors to give up independent practice and sign on with HMOs. We've been told that the government won't be putting price controls on doctors, but the bill limits what health plans can pay physicians and prohibits patients from paying their doctors directly. Alliance officials post a schedule of fees, and it is illegal for doctors to take more (pages 134, 236).

In addition, alliance officials set yearly limits on payments to fee-for-service doctors in each field of medicine, like cardiology or pulmonology. What if a flu epidemic causes pulmonologists to see more patients with breathing problems than the region's budget allows? The bill compels insurance plans to slash doctors' fees or cut off their payments entirely until the next year "to assure that expenditures will not exceed the budget" (page 137).

HMOs Do the Job of Rationing. Under the Clinton bill, the federal government uses price controls on premiums to curb dollars paid into the health care system. Limiting how those dollars are spent is a job shared by alliance officials, who budget payments to doctors in the dwindling fee-for-service sector, and HMO administrators, who are expected to do the lion's share of health care rationing. Is "rationing" too strong a word? Not according to Ludden, whose HMO serves 570,000 people. He predicts that "price controls on premiums will drive us straight to rationing at bedside." Princeton Professor Paul Starr, a key designer of the Clinton plan, prefers to say that premium caps will induce "a different frame of mind" in both doctors and health care administrators. "They will have to manage under constraint."

HMOs already have a track record of tightly controlling a patient's access to physicians. At Kaiser Permanente, the first person a sick patient sees is the "advice nurse," who makes the decision whether a doctor is needed. In HMOs, the ratio of physicians to members averages 1 to 800, about half the ratio of physicians to the general population. Specialists are particularly hard to see.

Current HMO cost-cutting methods already are drawing criticism from Congress, government investigators and worried doctors. The Clinton bill's premium caps will compel HMOs to use even more stringent methods of limiting care, but the bill omits any safeguards to protect patients from abusive practices.

For example, missing from the bill is any effort to put a stop to "the withhold," the pervasive HMO practice of punishing doctors financially for providing care they believe their patients need. Almost all large, for-profit HMOs, including those operated by Aetna, Metlife, Oxford and Prudential (but not Cigna) withhold between 10 percent and 25 percent of a doctor's compensation until year's end, and return it only if the doctor has met HMO targets for limiting patient tests, referrals to specialists and hospitalizations. Doctors report that targets are so stringent that HMOs almost always keep part of the withhold, which means that what a doctor orders for a patient comes out of the doctor's own pocket at the end of the year.

The withhold has caused a surge in dangerous "hallway consultations," according to Dr. Alan Jasper, a pulmonologist and critical care specialist at St. Vincent's Medical Center in Los Angeles. Other doctors stop Jasper in the hospital corridors, describe their patient's breathing problem and seek a diagnosis, in order to avoid referring the patient for a specialty consultation and incurring points against the withhold. The danger, says Jasper, is that the other doctor might fail to mention a critically important aspect of the patient's condition.

The withhold motivates primary care doctors to take a "we'll see how you feel next week" or "let's try this first" approach, even if it means additional worry and needless suffering for the patient. At a Humana-owned HMO in San Antonio, for example, a 40-year-old woman

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with back pain was told by the orthopedist that she needed an MRI. But her primary care doctor rejected the specialist's request for the test, saying the patient would have to try something less expensive, and sent her for acupuncture, followed by months of hot packs and physiotherapy. When nothing worked, the gatekeeper authorized the MRI, which revealed that the woman needed a lumbar dischetomy (disc removal), as the orthopedist had suspected. The story was related by the woman's surgeon, Dr. William V. Healey, a clinical professor at the University of Texas, who said the lesson was that HMO cost-cutting incentives, such as the withhold, fail to account for the graver cost—the months a patient is home from work, worried and in pain.

Another HMO cost-cutting strategy that makes doctors and patients worry is the utilization review—a sick patient must wait while the doctor telephones a utilization review company, describes the symptoms and medical history to a nurse or clerk seated at a computer terminal and hopes for an O.K. to proceed with tests and treatment.

Three hundred and fifty utilization review companies that claim to slash health care costs sell their services to HMOs, hospitals and others at a rate of $1 to $3 per patient reviewed. It's a $7 billion industry. Such "cookbook medicine" ignores the non-average, abnormally sick patient who may need more intense treatment than the computer program recommends. It also discounts the value of examining a patient, and ignores the physician's judgment and expertise. Dr. Jerome Groopman, head of oncology and hematology at the New England Deaconess Hospital in Boston, says, "It's an 800 number. They don't know me from Adam!"

"Horror stories abound" about utilization review, according to a 1993 report for the National Association of Attorneys General. Doctors' treatment plans are "rejected by inadequately trained personnel," according to the report, and utilization review companies refuse to give reasons for their decisions, even to doctors, because it is presumed doctors would figure out ways to get around the review guidelines once they were known.

Even when doctors' recommendations are ultimately approved, it can take weeks longer to diagnose and begin treating an HMO patient than a patient with fee-for-service insurance, Jasper explains, because of the successive delays in getting each test approved. One HMO patient with coughing trouble was given antibiotics by his primary care doctor, who thought the problem was pneumonia. The patient lost thirty-five pounds while waiting from October 27 to December 24 for an O.K. to see Dr. Jasper, then to have a CAT scan and lung biopsy, and finally to learn that the correct diagnosis was a lung fungal disease. Jasper said he could have had a fee-for-service patient on anti-fungal medicine within fourteen days, instead of nine weeks.

DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

The Attorneys General report urges state lawmakers to look into curbing utilization review in HMOs. In contrast, the Clinton bill calls utilization review a "reasonable restriction" on patient care and expressly includes it as a requirement for doctors treating patients with fee-for-service insurance as well (page 134).

The Government Won't Protect You From HMO Abuses. If most Americans are moved into HMOs, who will ensure that they get good health care? The Clinton bill establishes two national boards to develop quality standards and depends on alliance officials in each state to enforce them (pages 843-844). But history shows that federal and state officials have failed to protect patients from HMO abuses, even in small pilot programs.

In 1990 Florida newspapers printed lurid accounts of abuses by Humana Medical Plan, an HMO paid to care for the elderly under a small, experimental program to reduce Medicare costs. Congress ordered an investigation of Humana's performance, and Janet Shikles, in charge of the probe for the General

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Accounting Office testified about the company's "failure to order appropriate diagnostic tests and failure to follow up on abnormal test results." *Consumer Reports* (August 1992) also investigated the shortcomings of the pilot Medicare-HMO program in Florida, and concluded that government oversight was "lackadaisical."

A nationwide investigation for Congress drew the same conclusion. Pointing out that only twenty-one of fifty-seven HMOs investigated received a passing grade, the late Senator John Heinz warned that the priority "has been to promote enrollment in HMOs and we have not given equal priority to monitoring what happens" to people "after they have enrolled."

Far from protecting patients in HMOs, the Clinton bill ties the hands of state lawmakers who want to pass protective legislation. Some states recently have enacted laws to safeguard choices patients want to make for themselves, such as which hospital or pharmacy to use. HMOs protest that these laws hobble cost containment, and the Clinton administration apparently agrees. The Clinton bill pre-empts state laws protecting patient choice (page 238).

You'll Get More Primary Care Than High-Tech Medicine, and That's Not Good News. Will patients get the care they need when gatekeepers limit their access to specialists and high-tech medicine, as the Clinton bill intends? The evidence strongly suggests that low-tech care will not be good enough. People with heart disease, for example, will suffer. HMOs already ration high-tech care to heart attack patients, according to a study in *The New England Journal of Medicine* (December 1993). HMO patients hospitalized with coronary disease (myocardial infarction, unstable angina, angina pectoris or ischemic heart disease) are 30 percent less likely to be given bypass surgery or a coronary angioplasty (declogging of the arteries) than similarly sick patients with fee-for-service insurance. Another recent study by Duke University points to the consequences of such low-tech care. In the study, American heart attack patients who tended to be treated with three costly, high-tech procedures—catheterization (inserting a thin tube into the heart for diagnosis), angioplasty and bypass surgery—recovered far better than Canadian heart attack patients, who had less access to the procedures. American patients, who were twice as likely to undergo the procedures, tended to have a better quality of life after a heart attack. Canadians suffered more recurring pain, felt more depressed and were less able to go back to work and pick up their old activities. Dr. Robert Califf says the Duke study may help people understand "the implications of reducing services in a health care system."

Is it true that we need less care by specialists? Not according to the National Institutes of Health, which recently issued a warning that patients with many common conditions should be treated routinely by a renal (kidney) specialist. According to the NIH panel, primary care doctors frequently are overlooking the early signs of kidney failure and are hanging on to patients too long. Patients should be referred to specialists for dialysis sooner, said the NIH, before it is too late to save their lives. Twenty-five percent of kidney patients who don't receive dialysis until it is an emergency die. Dr. C. Craig Tisher, chairman of the NIH panel, warned that patients with high blood pressure, diabetes, weight problems and metabolism abnormalities should be regularly cared for by a renal specialist, not only a primary care doctor.

In the short run, the Clinton bill depends on HMOs to limit access to specialists and high-tech care. As a longer-term strategy to limit such care, the Clinton bill seizes control of medical education and requires that by 1998, no more than 45 percent of young doctors be permitted to go on to advanced training in a specialty. Specialty programs at leading medical schools will be downsized. Doctors in training will be assigned to the coveted specialty programs based partially on race and ethnicity, depending on how "underrepresented" each racial or ethnic group is "in the field of medicine in general and in the various medical specialities" (pages 509, 514-515).

Restricting medical education by government fiat undoubtedly will reduce the consumption of expensive, cutting-edge care. Doctors who are not trained in sophisticated technology cannot use it. But preventing doctors from learning about the most advanced medical procedures is a lethal way to curb health care consumption. Keeping doctors uninformed could not possibly be an improvement.

Unwritten Rationing Rules. Under the Clinton bill, you are entitled to a package of basic benefits, but you can have them only when they are "medically necessary" and "appropriate." That decision will be made by the National Quality Management Council, not by you and your doctor. The council (fifteen presidential appointees) will establish "practice guidelines" to control "utilization" of health services (pages 91, 836, 848). These guidelines will compel doctors to uniformly practice low-budget medicine. "There needs to be some point of reference for [health] plans to determine what is appropriate care," Starr said. "There is an enormous amount of excessive, inappropriate care." In Starr's view, the bill provides "high quality care." People who want access to more are asking for a "neurotic" level of care. What is most troubling about the practice guidelines is that they are not spelled out in the bill. Congress and the public are asked to approve the concept without knowing the content.

How rigorous will the standard of "medically necessary" and "appropriate" be? In other words, how much rationing based on cost-effectiveness will we have to endure? When a kidney transplant is needed, will the patient's age matter, as it does in Great Britain, where older patients are routinely denied high-tech treat-

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ments? Will patients with advanced AIDS be entitled to intensive care? Oregon's standard of appropriate care for needy residents excludes high-tech, life-sustaining procedures for advanced AIDS cases, as well as for extremely premature babies and advanced cases of certain cancers. Groopman, who treats cancer and AIDS patients, worries that decisions now made by the patient, doctor and family will be made by a council of "omniscient bureaucrats" who "are looking at two things: dollars and ideology."

Many organizations, including the American Medical Association, specialty medical societies and insurers already devise what they call "practice guidelines" to help physicians keep abreast of the most effective treatments. Ludden explained that "doctors appreciate guidelines" when they are recommendations, "but not when they become matters of law."

Many physicians who treat the HIV-positive population are troubled that the Clinton plan's practice guidelines will prevent them from trying new strategies to help desperate patients. Jasper recalls that he learned quickly "through the grapevine" that other doctors were achieving some success with treating pneumocystis pneumonia, an AIDS-related illness, with adjunctive corticosteroids. Mandatory practice guidelines would have stifled such innovation and prevented Jasper from keeping his patient alive. Similarly, Ludden recalls that at Harvard "we were using aerosol pentamidine" to treat an AIDS-related condition "eighteen months before any practice guideline would have regarded it as appropriate." The Clinton bill would hold changes in medical treatments to a slow-moving government timetable, putting many patients' lives at risk while the National Quality Management Council deliberates.

If You're Over 65, Good Luck. Another cost-cutting measure in the Clinton bill deprives people over 65 of access to new cures. The secretary of health and human services has the power to set a controlled price for every new drug, and to require the drug manufacturer to pay a rebate to the federal government on each unit sold to Medicare patients at market price instead of the controlled price. If a producer balks at paying the rebate, the secretary can "blacklist" the drug, striking it from the list of medications eligible for Medicare reimbursement (pages 365-379). The proposed regulation threatens to keep a new drug such as Tacrine (a treatment for Alzheimer's) from older patients.

Under the bill, the secretary weighs the development costs and profit margin for the single drug, rather than the overall profitability of investing in new cures (page 373). Biotech investors point out that for every drug that reaches market, more than 1,000 others dead-end, with a 100 percent loss for investors. Limiting the price and profitability of the one drug in a thousand that succeeds will halt research into new cures, including drugs for ovarian and breast cancers now in the pipeline.

Before Signing On, You Should Know.... The Clinton bill will prevent people from buying the medical care they need. Price controls on premiums will push most Americans into HMOs and pressure HMOs into sharply cutting access to specialists and effective, high-tech cures. Price controls on doctors' fees and regulations tying doctors' hands will curb the care physicians can give patients. Price controls on new drugs will keep people over 65 from getting the medications that can help them. Most important, government controls on medical education will limit what future doctors know, costing lives and suffering no one can calculate.

The administration often cites two statistics—America's relatively high infant mortality rate and its lower life expectancy—to support the need for the Clinton health bill. But these have almost nothing to do with the quality of American medical care. Both statistics reflect the epidemic of low-birth-weight babies born to teenage and drug-addicted mothers, as well as the large number of homicides in American cities and drug-related deaths.

In fact, if you are seriously ill, the best place to be is in the United States. Among all industrialized nations, the United States has the highest cure rates for stomach, cervical and uterine cancers, the second highest cure rate for breast cancer and is second to none in treating heart disease. In other countries that spend less, people who are sick get less care, are less likely to survive and have a poorer quality of life after major illness. Consider what happens in Canada, whose health care system often is held up as a model for the United States. In Canada medical technology is rationed to dangerously low levels. The United States has 3.26 open-heart surgery units per million people; Canada has only 1.23 units per million. Cardiovascular disease is Canada's number one health problem, yet open-heart surgery units and catheterization equipment are kept in such short supply that the average wait for urgent (not elective) surgery is eight weeks. The shocking result is that in Canada, a cardiac patient is ten times as likely to die waiting in line for surgery as on the operating table. In the United States, there is no wait.

The choice is not between the Clinton bill and the status quo. Members of Congress should read this bill, instead of relying on what they hear, and then turn their attention to alternatives sponsored by Democrats and Republicans. These alternatives provide urgently needed reform of the health insurance industry, outlawing its worst abuses, without taking important decisions away from patients and their doctors and without depriving Americans of effective, high-tech medical care when they are seriously ill. Congress also should consider ways to provide insurance for those who cannot afford it, and level with the public about what universal coverage will cost. Whatever the price, ultimately, it will be less expensive than the consequences of the Clinton bill. •

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BOOKS & The Arts

Stanley Kauffmann on Films

Soft Focus

The love story of C. S. Lewis and Joy Davidman has made its way through the theater and television to, inevitably, the screen. **Shadowlands** (Savoy) was adapted for film by William Nicholson from his play, stars Anthony Hopkins and Debra Winger and was directed by Richard Attenborough. *There's* a mixed bag.

Nicholson writes the way Attenborough directs: it's a perfect match. Each looks for the kitschiest approach, the most Hallmark-apt expression of the matter in hand. Since this is the story of a well-known Oxford theologian who goes through a crisis of faith, and a New York Jewish ex-Communist who finds solace in his arms, Nicholson and Attenborough are not exactly hard-up for chances to do their dampest.

Their stars are otherwise. About Hopkins it's becoming happily difficult to write, because all one can say yet again is that he is first-rate. Or wonderfully versatile in subtle ways. Or a compelling, mature, intelligent presence on screen. Choose (please) all of the above. Here as the noted Oxford don, he lives with his brother, has achieved much fame through his fiction and theological writings and, though a bachelor, through his books for children.

In his encounter with the American woman who seeks him out with her young son because of his writing, the don needs to put his highly burnished phrases about religion to a profound test. First he marries, then falls in love with her; then horribly soon she dies of cancer. Hopkins clings to the truth of the man, despite some of the things he is given to say and the way Attenborough's camera regards him.

Like Hopkins, Winger has become a reliable treasure. She has an instinct for character like a hawk's for its prey. She perceives it, pounces, ingests. For the duration of this film Winger leaves not a crevice through which doubt can enter. To Davidman she gives a slight rough edge that is both aggressive and a signal of discomfort. The way this roughness works around to a kind of transfiguration by fate is authentic—again thanks to the actor's overcoming to some degree the writing and the directing.

Davidman was a poet: we even hear one of her poems. (She was married for a time to an American novelist named Gresham, who fathered her son, but it was as Davidman that she published. She won the Yale Series of Younger Poets award in 1938; her book was called *Letter to a Comrade.*) What's omitted is that she was also a film critic. In 1972 I edited a historical anthology of American film criticism and included her review of *Citizen Kane*, published in the *New Masses*, May 13, 1941. It's excellent: perceptive, prophetic, rigorous. I would like to have read that critic's review of *Shadowlands.*

Oliver Stone has done a Spielberg-in-reverse. Spielberg went from various pop modes into his latest, thoroughly serious film. Stone, whose films about Vietnam and JFK were heterodox, has now subsided into pop. Spielberg's move succeeded; Stone's doesn't.

Heaven and Earth (Warner Bros.), from its thuddingly banal title on, is a laborious drag through material that ought to have been powerful, ought to have dramatized the other side of Stone's concerns about the Vietnam war, the story from the Vietnamese point of view. Based on two autobiographical books by Le Ly Hayslip, the film follows Le Ly from various hardships in her village at the hands of the Vietcong, to tribulations in Saigon at the hands of Americans, through marriage to an American Marine that takes her to a spuriously friendly California.

It would be too neat to put Stone's failure in gender terms, to say that he couldn't handle a woman's story through a woman's eyes. Still, the basic distinction between this film and his previous Vietnam films, *Platoon* and *Born on the Fourth of July*, is that in the earlier two he was working out of deeply incised anger and grief—not only about his own experience but about his own country.

Here his feelings lack focus and heat: he falls back on observed passion, empathy rather than involvement. This is not to urge Stone to make films only out of direct experience: he's too gifted for that. I merely note that in this instance it seems as if an insecurity, new to him, has bullied him into grabbing for platitudes—of scene, structure, composition—that he would previously have despised.

Hiep Thi Le, as the protagonist, lacks any kind of interest. Tommy Lee Jones, as the Marine, is already beginning to

FILMS WORTH SEEING

The Accompanist. *A well-wrought small drama about a young woman who accompanies both a soprano's recitals and her private life. French. Set in Paris and London during World War II. (Reviewed 12/13/93)* **In the Name of the Father.** *Daniel Day-Lewis and Emma Thompson in a stirring re-creation of the case of the Guildford Four—the Irish people wrongly convicted of terrorism in 1974 and acquitted fifteen years later. (1/3/94)* **Philadelphia.** *Hollywood's first dealings with AIDS—a good deal more than a polemic. Tom Hanks is vivid as a gay lawyer whose life is ending. (1/10&17/94)* **Schindler's List.** *Monumental. Steven Spielberg's overwhelming re-creation of a German's act of benevolence during the Holocaust. A work that will last. (12/13/93 and 1/24/94)* **—SK**

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deal a bit in stock mannerisms. Robert Richardson, the cinematographer who had done sterling work for Stone, shows here no trace of distinction. The crushing confirmation of the film's distance from truth is the score, incessant and suffocating, by Kitaro. (He uses only one name. That's enough—in fact, too much.) If the picture were better than it is, it would still drown in that aural ocean of molasses.

Book Note. The American Film Institute, collaborating with the University of California Press and funded by the National Endowment for the Humanities, the National Endowment for the Arts and various foundations, is pressing on with a gigantic, admirable project—to catalog all American films since the beginning.

The latest addition to the series, with Patricia King Hanson as executive editor, deals with features made in the years 1931-1940. Three large volumes. In the first two, each film is given its list of credits, a plot summary and notes about where further material on the film can be found. The third volume is a highly useful set of indexes—by subject, title, name of personnel, among others. (Total of all three volumes, 5,054 pp.; $185.)

The utility of these books is obvious. What is less obvious is their browsability. Whenever I pick up a volume for a specific reference, I take a quiet oath not to browse elsewhere. To no avail. I'm hooked. •

Down by Law

BY SVEN BIRKERTS

A Frolic of His Own by William Gaddis

(Poseidon, 586 pp., $25)

In recent years we hear William Gaddis spoken of in tones of breathless adoration—the outlaw late modernist, the father-figure to a generation of American novelists, the overcoat from which Pynchon, Gass and others emerged—or not at all. It is a difficult fate for the working novelist, who has not had the chance to be discussed and evaluated by readers alongside the critics. The reason is simple, and it somewhat indicts us as a culture: Gaddis is very difficult to read. In his second novel *J. R.*, which followed the more traditionally difficult *The Recognitions* (1955) by two decades, he announced a prose style that earned him much esteem and, I suspect, fewer real readers than even the pessimist might suppose.

Essentially, Gaddis mated the colloquial sprawl of the conversational novel à la Henry Green with some of the elliptical techniques of modernist cinema, including ceaseless movement of the camera (or narrative focus) and rapid-fire, breath-catching and confusing transitions that have the reader constantly scrambling for orientation. To make things harder, at least in that novel, Gaddis dispensed with all section breaks and chapters. The universe of J. R., its prodigious young protagonist, spun on and on in Mamet-meets-Milken conversational vortexes in which nothing ever stabilized. In the end the reader was left with the feeling of a high-speed skid on an icy surface and a vertigo of the moral sense.

J. R. did win the National Book Award in 1975, but the prize, while raising Gaddis's critical profile even higher, did little to promote sales or shelf recognition. Unread Gaddis remained unread. It was not until another decade passed that he made a bid for at least a small share of the market. *Carpenter's Gothic* was cut to normal dimensions—under 300 pages—was set in chapters and featured characters in relatively comprehensible situations. The novel was reviewed on the front page of *The New York Times Book Review.*

Readers more familiar with the reputation than the work now have reason to be grateful. For whatever reasons, Gaddis has, in *A Frolic of His Own*, produced his most accessible novel. Less dizzying in its transitions, more topical in presentation, easier on the eye because of its incorporation of diverse texts—legal opinions, long sections of a play—the novel may win Gaddis some of the audience that he deserves. At the same time, it must be said, when placed in the high-altitude ranks of his other work, his new book is not his very best. Top-heavy with legalistic obsession, it skimps on charac-

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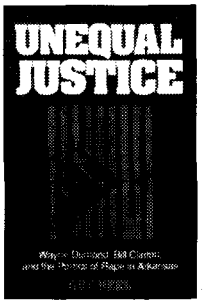
Wayne Dumond, Bill Clinton and the Politics of Rape in Arkansas
Guy Reel



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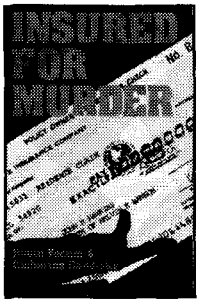

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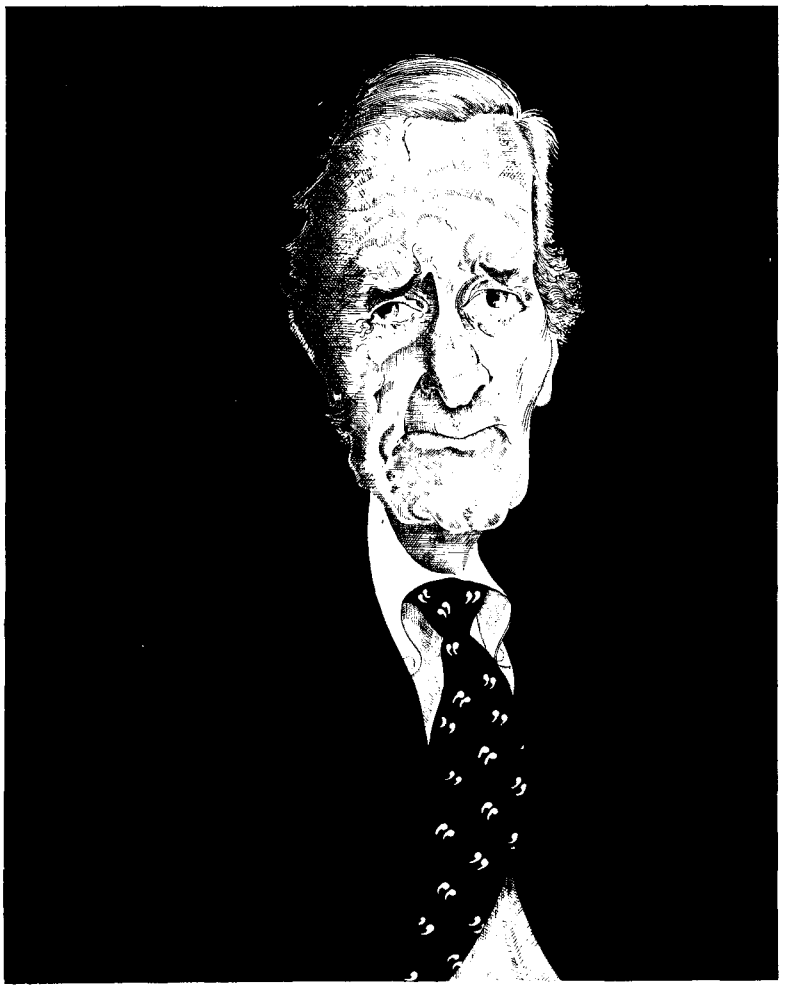
ter and thereby undercuts its chances of making a strong moral connection to the material. Even so—and this nicely illustrates Gaddis's anomalous position—it is, in intelligence, wit and technical follow-through, leagues ahead of most so-called "serious" novels that are published these days.

A Frolic of His Own (the title is a legal locution referring to an employer's lack of culpability when an employee commits an indiscretion while not on company business) is pitched very close to the key of black humor. It tells the escalatingly preposterous story of Oscar Crease, a middle-aged history professor, and his descent into the maelstrom of litigation. We first encounter Crease in the hospital, where he is recovering from injuries incurred when his own car, which he was jump-starting, ran over him. Visiting, commiserating and setting the stage for the relentless hash and rehash of every new turn of events are Oscar's stepsister, Christina, and her lawyer husband, Harry. (They will later be joined by Oscar's loopy consort, Lily.) Though various bit players get their moments, much of the prose that follows and follows is familial conversation between these same characters, given in the customary Gaddis way, without quotation marks or helpful attribution.

Like all his books, this too is a strict school: let the attention slip for a second and you pay by having to work back to get it all straight. Here is a relatively easy bit between Oscar and Lily:

—It's Bobbie! didn't I tell you it's always Bobbie?
—God. What, look there are tissues right there by the lamp here, sit down and tell me all about it but, ow! my leg...
—It's like a matte jersey only they have to let the skirt down with this real low-cut v-neck but I can pin it with that bunny rabbit pin you gave me that time when we went to that battlefield place where the motel had that bed with the magic fingers and you wanted me to, are you even listening to me?
—Will you just tell me what happened?
—Don't you remember? Where the bed kept jiggling and...
—To Bobbie! What happened!
—I told you didn't I? That he got this Porsche? I don't know what to do. Did you eat yet? All I had was some coffee. I'm starved, maybe it's something else feel right here, that lump? No inside, you can't feel through my clothes, did it get any bigger since last time? No, harder...

The legal action at the center of the plot, which Oscar initiates while still in the hospital, later acquiring a lawyer referred by Harry, involves the alleged theft by Constantine Kiester, a Hollywood producer, of the main idea of a play that Oscar had submitted to him years ago, when he worked as an agent by the name of Jonathan Livingston Siegal. The play itself, *Once at Antietam*, is loosely based on an experience of Crease's grandfather, who in later life became a jurist and a colleague on the bench of Oliver Wendell Holmes Jr. For complex reasons, the man had hired surrogates to fight for him in both the Union and Confederate armies, and both were, at least in the play, found dead on the battlefield, locked in one another's arms.



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

Kiester has used some of Crease's material in his hugely successful film, *The Blood in the Red White and Blue*, a film that owes a good part of its box-office appeal to its apparent repetition of controversial blood and guts footage from Kiester's previous vehicle, *Uruburu*. Crease's suit, which is woven through the novel, turns in part on Kiester's use of circumstances that Crease claims "belong" to him; but there is also a dispute over the playwright's own use of passages from Plato and Eugene O'Neill. Gaddis, via the nimble defense lawyer Madhar Pai (Kiester has, it turns out, retained Harry's firm, the Dickensianly named Swyne & Dour), lays open the issues involved in this increasingly volatile area of civil law. Here is Pai questioning Crease:

Q: Again, you don't claim protection for that idea do you?
A: I claim protection for the idea, too, yes, if the...
Q: You do?
A: ... if the idea is copied in a vulgar, demeaning way.
Q: The way it is expressed, is that what you mean? Can we separate the idea from its expression, sir? Do we understand each other?
A: Yes, yes we understand each other. When the idea is used in the context of the expression, combined with the expression, then the idea becomes part of the abuse I'm referring to.
Q: You don't claim any proprietary interest in the Civil War, do you?
A: No, no no.
Q: In the battle at Antietam, anymore than Shakespeare could lay a claim to the siege of Aleppo?
A: No.

But Oscar's suit against Kiester is only part of the vast fabric of the novel. Linked to it in complex and resounding ways is another suit, *Szyrk* v. *the Village of Tatamount*, wherein Federal Judge Thomas Crease, Oscar's nonagenarian father, must sort out a dicey issue of liability. A dog, "Spot," has gotten trapped inside a large public sculpture, made by Szyrk. Community outrage rises against the artist's rights—and Gaddis gets to survey, and to mock, yet another arena of current controversy. Up on the fine points of jurisprudence and legal semantics, Gaddis is able to expose the vein of absurdity that runs through the American legal system, perhaps through law itself. He mocks the letter on behalf of the spirit, using what is finally only the most incremental exaggeration. Thus,

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we read in Judge Crease's opinion:

> We have, in other words, plaintiff claiming to act as an instrument of higher authority, namely "art," wherewith we may first cite its dictionary definition as "(1) Human effort to imitate, supplement, alter or counteract the work of nature." Notwithstanding that Cyclone Seven clearly answers this description, especially in its last emphasis, there remain certain fine distinctions posing some little difficulty for the average lay observer persuaded from habit and even education to regard sculptural art as beauty synonymous with truth in expressing harmony as visibly incarnate in the lineaments of Donatello's David, or as the very essence of the sublime manifest in the Milos Aphrodite, leaving him in the present instance quite unprepared to discriminate between sharp steel teeth as sharp steel teeth, and sharp steel teeth as artistic expressions of sharp steel teeth, obliging us for the purpose of this proceeding to confront the theory that in having become self-referential art is in itself theory without which it has no more substance than Sir Arthur Eddington's famous step "on a swarm of flies," here present in further exhibits by plaintiff drawn from prestigious art publications.

Quite early on in the book, still chair-ridden by his injuries, Oscar returns to his home—another of the vast and shambling pieces of New York real estate known to Gaddis readers. Ministered to by Christina and Lily, interrupted constantly by phone and mail and newspapers, Oscar settles in to wage his Quixotic battle. He schemes and rants, rising to righteousness and then lapsing into stale torpor. He is often descried by the others in a near-coma, sitting in front of one of his red-in-tooth-and-claw nature programs (a not so subtle counterpart to the human activities) and swilling Pinot Grigio.

Once the basic premise is established, Gaddis's novel moves forward in the swirl of its interminable discussions, with interruptions simply initiating new discussion, the momentum only breaking when the author incorporates another chunk of Oscar's play or some portion of courtroom transcript or other legal business. The result is curiously surreal. Gaddis's absolute fidelity in rendering each conversational fidget, coupled with his refusal of any traditional subjective access, creates what feels like a self-contained universe of talk. Foregrounded thus, the speech displaces focus from the private to the public sphere. The reader feels trapped, every bit as much as if this were a stream of consciousness monologue. We realize how much we depend on our novelists to balance off inner and outer claims.

Frolic is claustrophobia-inducing. Not only is there no reprieve from talk, not only does the whole work unfold in the same few rooms, but the nature of the narrative itself is deeply, if not profoundly, cyclic. Same rooms, same people, different day, different day, different day, until the subliminal effect is realized and we grasp that however much things may change on the surface, the underlying law of human affairs is a recursive sameness, with day following day, season season and adaptative habit overriding all turmoils of loss and grief. A dark picture, but not the darkest possible; in Gaddis's world the wearying tow of sameness is mitigated, at least slightly, by the grumbling humor of his characters.

Unpacking the novel, we find it is wrapped in many skeins—countless encoded cross-references, myriad ironies and shimmers of sly wit. It pumps itself up with legal paradoxes and oddball twists and turns (Oscar urged to sue himself for his auto injury; Lily seeking damages for faulty breast implants; Harry arguing a case in which the anagrammatical connection between "Pepsi-Cola" and "Episcopal" is relevant; the preacher from *Carpenter's Gothic* being sued for drowning a child during a baptism . . .) and effectively turns America's

"Listen...the shelling continues in Sarajevo. The single blessing is that Zlatko Dizdarevic still bears witness to it."*

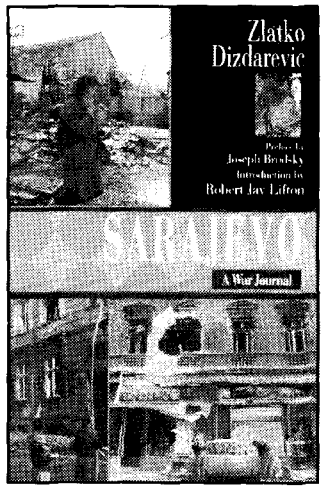
SARAJEVO: A WAR JOURNAL

by Zlatko Dizdarevic

Preface by Joseph Brodsky

Introduction by Robert Jay Lifton

Translated by Anselm Hollo



"It was hard to begin this book, not because of its writing, which is wonderful...but because of the slaughter I imagined it contained. I was mistaken. Its subject is not slaughter but endurance...It is about the idea of multiculturalism and religious coexistence pitted against the worst kind of chauvinism."

—Stephen Dobyns
The New York Times Book Review, front page*

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legal fever into a trope for its overall spiritual and moral condition. There is outrage at the novel's heart, and Oscar is its principal conduit:

> I see all around us the criminal mind at large appropriating, literally stealing the fruits of the creative mind and the dedicated labors of others without even blinking, isn't that what's at the heart of this cancerous No Fault epidemic? This license for delinquency? Society created the criminal, society's responsible and so no one's responsible, isn't that the size of it, demolishing the pillar civilization rests upon, each individual's responsibility for the consequences of his own actions?

Gaddis is so effective at spinning his web of interlocking legalities that we begin to believe that there is no free place left, no crevice where one might stand and be unimplicated, unliable. The society has, to all appearances, grown together with the legal system. And as we see the system for what it is—a monster produced by the sleep of reason, or the wakefulness of it—we must deduce that madness has at last enveloped all.

Still, for all the power of this vision—its exacting specificity, its implied totality, its savage humor—the novel does not work on us as powerfully as it ought to. There are several reasons for this. The most injurious flaw of Gaddis's book is the relative inertness of its central characters. Oscar, Christina and Lily are all thin to the point of being types. They serve as voice-boxes, appliances for the generation of spoken material. Which, as it accumulates, tends less to reveal their depths than to overpower them. What they talk about discloses Gaddis's obsession with law, not their own characters.

This is aggravated, naturally, by the author's refusal to show the inward dimension. The reader must feel disappointment, for in previous works, such as *J. R.* and *Carpenter's Gothic*, where Gaddis also deployed speech almost exclusively, the verbal interplay does gradually create some understanding of the characters' pasts and of their motivations. Perhaps this is because in these novels the thematic focus is nowhere near so monomaniacal; the inclusion of extraneous narration allows us to assemble more convincingly complex identities for the players. Here, alas, we remain unpersuaded and, on a certain vital level, unengaged. Querulous Oscar rattles on, never more or less than himself, but never much more than the content of his grumpy rattling. Gaddis has made some effort, it is true, to draw in a theme relating to fathers; Oscar's play can be seen as an attempt to uncover a generational connection, but it lies flat on the storyboard. Free speech aplenty here, but we see it as an artistic strategy that has its limits.

Oscar's play poses more, and related, problems. Gaddis has let it be known that between the publication of *The Recognitions* and of *J. R.* he wrote a play about the Civil War and that parts of that play are now embedded in *Frolic*. It is hard to say if the play constituted an advance intuition of this novel; perhaps Gaddis has simply sought to recycle previously written goods. But the question is finally moot. The portions of *Once at Antietam* included are strikingly without dramatic interest. If Oscar, Christina and Lily suffer from two-dimensionality, then the dramatis personae (identified as THOMAS, HIS MOTHER, THE MAJOR, etc.) perish of it. They speak with a kind of wooden hysteria (THOMAS: "A ram! But ... by heaven! I'm being pressed for those profits now, the shareholders here ... a ram! What the devil are they building a ram for!"). Their only possible reason for being is to give flesh to certain conceits that Gaddis means to echo and to play against his main narrative. Of these the most interesting are those surrogate soldiers who are found locked in a death embrace. Gaddis would seem to be giving us a figure for lawyers themselves, those proxy agents whom we hire to wage our own civil wars. The implications of self-murder (both soldiers *represent* Thomas) are given further, and absurd, resonance in the notion that Oscar might end up paying good money to sue himself for automotive self-injury.

Given Gaddis's extraordinary ear for dialogue, it is surprising that his dramaturgy is so weak. But maybe not. His brilliance is mimetic: he hears the dynamics of interchange at a threshold level. Drama, by contrast, requires an aptitude for symbolic condensation. Gaddis either cannot present his material this way, or he chooses not to—or maybe he wants us to judge Oscar as a second-rate talent. Looking at the whole trajectory of Gaddis's work, and recalling his own stated preoccupation with entropy as a universal and social condition (all his novels convey a sense of systems approaching the point of dissolution), I would guess that he finds drama aesthetically inadmissible, a kind of literary bad faith.

But this still does not explain the inclusion of long scenes from *Once at Antietam*, since they do almost nothing to further the needs of the work. If Oscar were developed as a character, if we could sound his subjective depths, then we might be able to read *through* the scenes, to calculate insights about the Creases from Oscar's treatment of family history. As things stand, however, we don't much care.

Finally, the whole edifice of American civil law, trenchantly as it is interrogated and mocked, is not fully exploited as a subject. We are constantly confirmed in our natural suspicions about the venality and the duplicity of it all; but we are never startled into reconsideration. Moreover, Gaddis has gotten himself stranded in paradox and irony. He is eager to point to the *danse macabre* of litigation, but has not, as it were, connected the superstructure to the base. The base, again, has to be the human, the personal. We see the dazzling, infuriating, insane-making whirl of litigation, but we grasp neither how it arises from, nor how it impinges upon, the individual. We have the pathology without the path.

Here the defense may object: since *The Recognitions*, Gaddis's whole fictional enterprise has been, after all, an exploration not only of the premise that God is dead, but also of the premise that the individual—the accountable individual of the social contract—is dead, too; and that only our fatally abstracted systems (financial in *J. R.*, legal in *Frolic*) survive to orchestrate social behavior. In which case the critic must be wrong to call for more deeply coherent characters. To this I can only respond that in art, if nowhere else, the means and the ends must sometimes be separated. A novelist, no matter what his vision, has to know that the form is predicated, always has been, on the assumption of dynamic character; and that if one ceases to believe in character one had better be ready to do the honorable thing and find another expressive mode.

Still, as entertainment, *A Frolic of His Own* is a tour de force. It is a profound entertainment. It is scalding and Swiftian, a darkly hilarious inquest into what we have come to now that we have turned from our trust in the sufficiency of the natural human bond, have surrendered accountability to surrogates and to systems we scarcely comprehend. This is the wisdom of the novel, and of the devastating synopsis of its opening line: "Justice?—You get justice in the next world, in this world you have the law." Though of course we freed ourselves from the illusion of a next world long ago.

SVEN BIRKERTS's *Into the Electronic Millennium*, a book on reading in a post-literary culture, will be published by Faber & Faber later this year.

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Monks and Melodies

By Peter Phillips

Western Plainchant: A Handbook by David Hiley

(Oxford University Press, 758 pp., $75)

Until recently, and even perhaps to this day in the more provincial cathedral closes of England, it was customary to refer to Thomas Tallis as the "Father of English Church Music." That this view is a pitiful simplification is shown rather overwhelmingly in David Hiley's substantial book. In his 758 pages, Hiley provides a commentary on the body of melody that underlies not only all Western church music, but also, through its development of modality and tonality, systems of notation and many of the tools of composition we now take for granted, all Western music.

To write a history of plainchant (or Gregorian chant, as the Europeans call it) is to describe all that there was of serious music for nearly 900 years, from Christ's lifetime until the invention of part-writing in the late ninth century. Even then chant remained central to almost every musical form until the seventeenth century, and has continued in recent centuries, like the Catholic Church itself, to develop in a less sympathetic world, maintaining its vigor in the face of the kind of competition that guitars and congregational singing have dealt it. No wonder Hiley's book is long.

For the modern music lover, plainchant poses some unfamiliar aesthetic questions. As Hiley points out in his first paragraph: "Plainchant is liturgical music.... The performance of the music is not an end in itself.... Occasionally it has been cultivated with an exuberance and extravagance that seems to go beyond the needs of the liturgy, but this is not its normal role." One may argue, in other words, that it is vain to put on concert performances of chant or, by extension, to make recordings of it, since its essence is inextricably bound up with the ceremony of religious services. Those of a stubborn disposition, who are prepared to seek out other venues than the concert hall for the enjoyment of different kinds of music, might consider attending a church service. But they may well be thwarted in their quest, since very few priests, even Catholic priests, are prepared nowadays to allow whole services to be sung to chant, and in my experience they almost never allow the original Latin texts to be heard, which inevitably deprives this word-oriented art form of some of its power.

I doubt, in fact, that chant can ever mean to us what it meant to those who heard it every day of their lives, who were familiar with it as a medium through which they worshiped, who were distracted by no other sort of music, for whom the difference between a responsory, an antiphon and a hymn was complete. This being the case, we surely may start again with it in our own terms, not primarily concerned about which of the old traditions what we are hearing comes from, nor whether the original liturgical context would have required repeats and refrains, but instead alert to the intrinsic beauty of the melodies, which seem almost invariably, almost miraculously given the quantity of music involved, to have the most inspiriting dignity.

The historical origins of this repertory are lost in the largely undocumented practices of the earliest churches. It does not help that none of it was written down until the late ninth century. Until that time, church music had been an exclusively oral tradition. The mists begin to clear in the eighth century, when Charlemagne undertook the considerable task of trying to unite the religious practices of his vast empire, to which end music would have played an important role. In time it became necessary to write this music down. But scholars of the art before Charlemagne's reign are reduced to making deductions from service books and examining later repertories to see where the melodies converge, the similarities possibly representing a much older common source. In the Western church these repertories came to be called Gregorian, Old Roman (or Milanese, which can be called Ambrosian, or Beneventan) and Spanish (or Mozarabic); in the Eastern church the bulk of the surviving chant has

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been termed Byzantine.

All these traditions found their roots in the worship of the early church. Much of the music must have come from the private religious exercises of the Jews, in the *shema* prayer, for example, and in the Hallel psalms. From this starting point it is supposed that the first Christians would have improvised much of what they sang ("hymns" are referred to repeatedly in the New Testament), just as they must have improvised their liturgies, reluctant to write anything down for fear of prosecution.

The actual style of these melodies can only be guessed at. Still, we may assume that the singing, since it took place at informal gatherings, was unaccompanied and without harmony, as chant is sung today. In its simplest form, chant tends to move step by step, without wide melodic intervals, making it as convenient as may be for everyone to sing. It is, and it always has been, the ideal congregational music. And, despite centuries worth of embellishment, the best of it still preserves this simplicity, this directness of utterance.

Encouraging people to come to so complex a repertory in an untutored way might seem irresponsible, but such an approach has real advantages. Anyone who has his imagination fired by something beyond his powers of analysis, he knows not how, is likely to seek out more of it. In time, with the strongest possible motivation, he will begin to understand the subtleties of what attracts him, coming at them, as it were, from the right way round. The other advantages are more prosaic: it will not matter where the enthusiast first hears chant, or how much of it he hears in any one sitting. Whether the starting point is in a Japanese concert hall, as a small part of a program of alternating chant and polyphony, or in a Benedictine Abbey, in the middle of a French field in a concert reconstruction of one of the great celebrations of the past, the quality of the music will be the same. It may seem more likely that an unsuspecting concertgoer would first have his imagination engaged in the latter case; but in truth neither is authentic.

Equally inauthentic and equally effective are modern compact disc recordings of re-created feast days, complete with all the psalms, canticles and antiphons proper to the occasion, such as one would never now find in standard services. Some of these recordings even include the faked sounds of a church full of people, of the priests as they go about their business in the ritual. At this point it is really immaterial whether one is in Japan, France or one's own living room: what matters is the quality of the singing, whether the beauty of the melodies is apparent and whether the listener is susceptible to their beauty.

I do not mean, in arguing for such a tolerance about settings and venues, to detach the music from its texts. Is it really possible to appreciate such music without understanding the Latin on which it depends? Exactly the same question can be posed about the great polyphonic repertoires of the Renaissance, which so organically grew out of plainchant; and to pose it is to come up against another of the aesthetic issues inherent in chant and chant-derived compositions. Unlike music that is picturesque in following the meaning of its texts, to the point of actually trying to describe those meanings in sound (as happened so often in post-Renaissance writing), almost all chant and much polyphony is, in this sense, abstract.

Chant is unable, by its nature, to convey nuances of meaning, many of which in religious texts are anyway mystical and so unrepresentable. And so the writers and the singers of chant rarely attempt to do more than create a general mood of reverence. It is true, of course, that the composers of these early periods probably would have felt a deep affinity with the words that they were setting, and a similar affinity on the part of the listener must be helpful; but to require the affinity is to miss the possibility that abstract music has a beauty and a meaning of its own, proceeding from, but not restricted to, specific words. When music has to be explained in language, it loses a large part of its freedom of expression. This was not a problem in the early centuries, but it has become more of a problem since the invention of opera.

It is often said (in the words of Richard Hoppin) that the advent of part-writing in the late ninth century "was *undoubtedly the most significant event* in the history of Western music." Yet a case could be made that such a claim might be more aptly advanced for the late sixteenth century, when chant at last ceased to be the starting point for all serious-minded composers. Although the actual use of chant melodies in sacred composition had been slowly diminishing by the High Renaissance, their influence was still fundamental. Following Monteverdi's stylistic revolution circa 1600, everything changed: secular music and secular styles, instruments accompanying named soloists with advanced singing techniques rapidly became the desirable standard by which everything else was measured. Chant and polyphony continued to be sung in services; indeed the Catholic Church tried to petrify them both in a vain attempt to maintain the status quo. But the thrust was suddenly elsewhere.

For someone like myself, who has so far devoted his career to the performance of Renaissance polyphony or part-writing, there was no equivalent upheaval between the era in which chant existed alone and the advent of polyphony. Not only does the one proceed smoothly from the other in purely compositional terms—a large part of the polyphonic repertory has chant embedded in it note for note—but their most effective performing styles are also closely linked. Just as chant requires its performers to sing with attention only to the melodic flow, with a light tone in consistent legato, never imposing on the writing those extremes of dynamic range that have become so familiar to us from Romantic music, so lines of polyphony, written after the manner of, and often derived from, chant melodies in conjunct motion, require the same vocal disciplines.

The moment that polyphony is sung according to the generally more familiar habits of post-Renaissance choral performance, almost all is lost. Such a solecism arises from the common mistake of wanting to take later and familiar ways of approaching music back, so as to impose them on Renaissance writing, rather than taking the earlier and unfamiliar techniques forward, so as to allow them to form our view of polyphony. Those who think that Monteverdi's *seconda prattica* was an extension of Renaissance musical thought, who search, not entirely in vain, for signs of proto-baroque practice in the High Renaissance, are the most prone to miss this crucial point.

For all that chant has continued to be used, albeit much more haphazardly, in classical music of later periods—one thinks, for instance, of Mahler's references to *Veni creator spiritus* in the first movement of his Eighth Symphony—Hiley's book is not concerned with it in any other manifestation than as a single monophonic line. This still leads to a book of four pounds in weight in which the author almost ritualistically complains that he lacks the space in which to develop this or that point in greater detail. I wonder whether he is entitled to call the result a handbook. If the term is taken to mean a book that fits conveniently into the hand (or luggage), then he cannot; if it means a guidebook that judiciously steers the interested amateur around

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the most protracted musical topic known to man, then he may. Indeed I began to marvel, after a little reading, that he had managed to discuss so many aspects of the subject so clearly and in such apparent depth.

Hiley, whom I knew at Oxford as a countertenor in David Wulstan's Clerkes of Oxenford in the late '70s, may not have turned into a great singer; but he is impressively learned in his subject (his bibliography is an incredible sixty-four pages, and he has considered nothing that was written after 1990), and he has the invaluable knack of knowing what to leave out. His book includes a detailed account of the standard liturgy throughout the Church's year and the Roman chant genres that beautify it; a consideration of the written sources and their different notations (a particularly fascinating topic, since it deals with much of the earliest musical notation that there is—including eighteen plates of reproduced manuscript examples); a discussion of the musical theory that underlies these melodies, including their modal system, followed by a careful history of development chant, largely concerned with the centuries before any of it was written down; and accounts of the leading personalities, especially Pope Gregory the Great, whose name is forever, if erroneously, linked with chant, and the fate of chant since its rehabilitation in the nineteenth century and subsequent adaptation to twentieth-century needs. (The problem involving the music's association with Pope Gregory, incidentally, is that there is no evidence in his voluminous writings to show that he was in any way active as a composer. It is probably inaccurate, moreover, given the way chant melodies seem to have evolved over several centuries, to refer to them as having been composed in any conventional sense. As Hiley concludes, "It is no doubt spiritually and morally reassuring, for us as for the Carolingians, to be able to attach the name of a canonized author to the body of chant we know as Gregorian. But the available evidence does not permit this.")

To anyone interested in questions of musical authenticity, the attempts by nineteenth-century musicologists to get back to the hoped-for pure original form of these melodies have a certain poignancy. They also show up the nature of the difficulties with which chant archaeologists must contend. Hiley is fluent on the subject of how apparently secure information can turn opaque on close examination, which is hardly surprising in a musical tradition that was transmitted orally for 800 years; but for the nineteenth-century experts, hope seems continually to have triumphed over realism. Two of these experts, Dom Prosper Gúeranger and André Mocquereau, were in no doubt that, in the words of Gúeranger, "when manuscripts of different periods and countries agree upon a particular reading, we can safely assert that we have discovered the Gregorian phrase." Hiley comments:

> It is not at all certain that an "original" form of this type ever existed. From the Old Roman manuscripts, for example, we can see some of the Roman ways of singing melodies in the eleventh to thirteenth centuries ... we can see several Frankish ways of singing the same melodies in the ninth century, the tenth century and so on. But the manuscript tradition is too variable for a single "authentic" reading to be deduced even from a small group of the earliest sources.

It could not be done, and yet, in the interests of restoring plainchant to its former position of supremacy in Catholic worship, a position that had been eroded during the eighteenth century, scholars, monks and finally the Vatican authorities put their names to a series of publications that claimed a great deal more in terms of authenticity (in this context, almost a branch of divine utterance) than careful research could have justified. In a sense, it did the trick: plainchant was re-established for what it was worth. Still, such claims of having reached back to an indisputable and incorruptible original ring a little hollow to the ears of anyone who has followed the recent revival of interest in the performance of early music. For absolute authenticity is a chimera used too readily for short-term gain: to promote one performance over another, often distracting the players from making the most of what is certain.

I do not mean to suggest that the monks of Solesmes, who, after much internecine strife with the Vatican authorities, were eventually given the charge of preparing all the chant editions of the Roman Church, were engaged by a short-term view; they have issued their publications for more than a century. But they have done so against a background of seriously inadequate examination of the sources, a background that they were, at least in the past, disinclined to acknowledge. No doubt the monks thought that they had done enough. And so it is one of the strengths of Hiley's account that he explains repeatedly where the holes are, while referring the reader in almost every sentence to the vast body of literature that chant has generated over the centuries.

"It is safe to say that the musical analysis of plainchant is in many respects still at a preliminary stage," he comments. And elsewhere: "It may be that some aspects of Roman and Byzantine chant resemble each other because they derive from a common source—though rarely has a serious attempt been made to demonstrate what this might mean in terms of actual pieces of music" (a prime subject for research, one would have thought). And still elsewhere Hiley frankly states that although "the importance of comparison of musical variants cannot be overestimated," the business of doing it "is laborious, for its effectiveness depends both on the accumulation of a large number of points of musical variance and their tracking through a large number of sources." Given that these melodies were in use throughout Europe, and that every monastery of any size, once notation had been invented, would have kept its own chant-books, a process that continued at least until the arrival of music-printing on the scene in the period of the Renaissance, one begins to wonder whether the task is actually feasible. By and large, anyway, it hasn't been done.

Hiley's book is an achievement of synthesis, gathering together threads from many quarters, and taking stock of the current state of chant research (up to 1990) that has so expanded in recent decades. Like a miniature Grove's Dictionary, it will almost immediately need to be updated; but for now it can stand as a reliable sorting-house of information, clearly expressed, intelligently laid out. Given the speed with which things seem to be moving in this field, and the number of new scholars from many countries making contributions to it, it is not surprising that such a book is badly needed. The surprising thing is that there has not been one for thirty-five years in any language; Willi Apel's *Gregorian Chant*, which appeared in 1958, was the last, and before it there was no similar endeavor since the earliest years of the century, in Peter Wagner's *Einfuhrung in die gregorianische Melodien*. Hiley's achievement, then, may be temporary, but for anyone interested in the history of Western music, beginning at the beginning and not, as usual, in the middle, this is now the best possible introduction.

PETER PHILLIPS is director of The Tallis Scholars and the author of *English Sacred Music 1549-1649* (Gimmell).

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The Limits of Limits

By Jeffrey Rosen

Democracy and the Problem of Free Speech by Cass R. Sunstein

(The Free Press, 300 pp., $22.95)

For nearly a decade Cass Sunstein has presented himself as the benign face of free speech revisionism. In his academic writings, he has supported some restrictions on pornography and hate speech, and at the same time has avoided the rhetorical excesses of Catharine A. MacKinnon and the critical race theorists. He has endorsed some restrictions on the autonomy of broadcasters and newspaper owners, while questioning what he calls the more heavy-handed "command and control" solutions of the 1960s. Now Sunstein has collected his scholarly articles about free speech into a sustained argument, toned down some of the most censorial conclusions and thinned out the footnotes for a popular audience. His new book aspires to be the most moderate version of a thesis that, in the hands of less gifted and less fair-minded scholars, has seemed far from moderate. As Sunstein puts it: "Currently American law protects much speech that ought not to be protected. It safeguards speech that has little or no connection with democratic aspirations and that produces serious social harm."

Sunstein's argument stands or falls on a familiar premise: that the overriding objective of the First Amendment is to promote a rich and valuable public debate, rather than other, more individualistic values, such as personal autonomy and self-expression. This collectivist vision of the First Amendment, as Sunstein emphasizes, is not original. Alexander Meiklejohn, its most influential exponent, exalted the interests of the group over the individual in a well-known aphorism in 1960: "What is essential is not that everyone shall speak, but that everything worth saying shall be said."

Meiklejohn's heirs have spanned the ideological spectrum, from Owen Fiss to Robert Bork; but his epistemological arrogance—his notion that government can distinguish, and should distinguish, speech that is worth hearing from speech that is not worth hearing—was questioned by scholars more than a generation ago. As Robert Post observes in a recent issue of the *Colorado Law Review*, the very standards necessary to distinguish "valuable" speech from "worthless" speech are themselves matters of profound dispute. The Supreme Court, for its part, has been similarly skeptical of Meiklejohnism. In *Cohen* v. *California* (1971), the "Fuck the Draft" case, Justice Harlan recognized that democratic dialogue "may often appear to be only verbal tumult, discord and even offensive utterance." But Harlan understood that this "verbal cacophony" is merely a "necessary side effect" of the fact that "in a society as diverse and populous as ours," public discourse is organized not to accomplish anything in particular, but to ensure that heterogeneous visions collide.

Sunstein's effort to revive Meiklejohn at a time when the First Amendment debates have progressed far beyond Meiklejohn strikes a rather tinny, anachronistic note, much like an appeal to the Beatles in the age of Snoop Doggy Dogg. And the reasons he offers for the revival are not finally satisfying. His most provocative claim is that the text and the history of the First Amendment, broadly understood, support an emphasis on collective self-determination rather than individual autonomy. In a few paragraphs Sunstein equates his own Meiklejohnian conception of free speech with Madison's conception of free speech. Madison, he says, placed a "high premium" on the "deliberative function of politics"; and his placement of sovereignty in the people, rather than the government, "carried important lessons for freedom of speech." Throughout his book Sunstein refers to "the Madisonian First Amendment," "Madisonian aspirations" and "Madisonian goals."

Sunstein's impulse to anchor his theory in the text and the history of the First Amendment is admirable; and some of that history, he rightly emphasizes, is inconvenient for those who consider themselves First Amendment absolutists. But the notion that James Madison understood the free speech clause as a license for government to encourage and to regulate political debate is implausible. In the most literal

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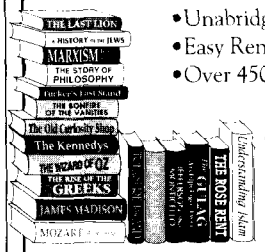

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sense, Madison understood the First Amendment as a principle of federalism. "Liberty of conscience and freedom of the press were equally and completely exempted from all authority whatever of the United States," Madison wrote, because Congress had been granted no enumerated power to control speech. Nor could such power have been granted: for Madison and the other First Amendment framers understood freedom of speech and freedom of conscience not as collective, political rights, but as pre-political, natural rights, retained by individuals during the transition from the state of nature to civil society. (In the notes to his speech introducing the Bill of Rights, Madison distinguished between "*natural rights* retained [such] as speech" and positive rights such as trial by jury.)

The dominant conception of free speech became even more libertarian during the debates that culminated in the Civil War Amendments. In the years before the war, abolitionists explicitly linked the natural rights of speech and conscience to defend dissenting anti-slavery authors such as Harriet Beecher Stowe. After the war, radical writers such as Ezra Heywood proclaimed "the Natural Right and Necessity of Sexual Self-Government"—the right of individuals to determine for themselves "'when, where and how' their sexual organs will be used"; and they explicitly linked free speech with free love, gender emancipation and contraceptive reform. Between the Civil War and World War I, as David Rabban has noted, libertarian radicals questioned the constitutionality of the anti-obscenity Comstock Act of 1873, which was responsible for seizing 130,000 pounds of books, 194,000 pictures and photographs and 60,300 "articles made of rubber for immoral purposes." Of course, the libertarian impulse did not become accepted dogma for another century; and there is plenty of room for debate about how broad a conception of personal autonomy and self-expression can be plausibly ascribed to the Madisonian and Reconstruction understanding of speech as a natural right. But Sunstein's suggestion that Madison's First Amendment was a collectivist, regulatory and Meiklejohnian First Amendment seems, at the very least, open to question.

Ultimately, though, Sunstein does not pretend to rely very heavily on history. His reason for exalting "high value" political speech over "low value" non-political speech is, he says, pragmatic. An autonomy-based account of the First Amendment, he argues, would make it difficult to distinguish between different categories of speech, and would require more stringent protection for bribes, threats, perjuries, commercial speech and sexually explicit speech, categories that the Supreme Court currently recognizes as "low value." With scrupulous evenhandedness (and the weighing of counterarguments is the book's most impressive feature), Sunstein acknowledges the obvious response: Why not say that individual autonomy is genuinely expressed through art, literature, politics and sexually expressive speech, and far less so through commercial speech, perjury, bribes and the like? But Sunstein has no good answer to his own question, except to conclude vaguely that "a general catalogue of free speech interests might well produce a body of legal doctrine that is too complex, ad hoc and unruly."

Sunstein's inability to come up with a good reason for refusing to reconcile the First Amendment values of self-expression and democratic deliberation undermines his thesis that the government should have "reasonably broad power to regulate (among other things) ... disclosure of the name of rape victims and certain forms of pornography and hate speech." In the end, his neo-Meiklejohnism seems strategically tailored to allow some (but not too much) regulation of the kind of speech that Sunstein considers "low value."

But even the distinction between low and high value speech is hard for Sunstein to maintain. Uncomfortable with the radical implications of protecting only political speech, Sunstein adds two dramatic qualifications. First, he defines political speech so broadly that it need not have anything to do with politics at all: speech should be treated as political, he says, "when it is both intended and received as a contribution to public deliberation about some issue." This concession ultimately calls into question Sunstein's argument for a "two-tier" First Amendment, since virtually all speech can be considered "high value" under the expanded definition. Second, Sunstein embraces something that looks very much like a harm requirement: government cannot regulate speech of any sort, he says, simply because it disagrees with the ideas that have been expressed, or because it fears that people will be influenced by the ideas, or offended by them. But in that case, why not look only at the question of whether the speech causes harm and avoid the treacherous inquiry into value altogether? Again Sunstein acknowledges the question but fails squarely to answer it.

When it comes to applying his principles, moreover, Sunstein can be surprisingly inconsistent. In his discussion of hate speech, for example, he wants to distinguish between "racist and sexist speech that appeals to the deliberative capacities," which he says should be protected, and "mere epithets," which he says should be banned. But surely racial epithets can be "intended and received as a contribution to public discourse about some issue," in the same way that more eloquent racist appeals can be. Even more distressingly, Sunstein does not begin to identify any tangible harms that racial epithets inflict. After a windup about how racist speech cannot be banned merely because it is offensive, he subverts the principle by announcing blithely: "The injury to dignity and self-respect is a sufficient harm to allow regulation."

Sunstein's discussion of pornography is even less convincing. He argues that pornography should be regulated "only to the extent that it is associated with violence or coercion either in its production or its use." But when it comes to defining "violent pornography," or specifying its "real world harms," Sunstein is elusive. Without citing any empirical evidence, he argues that "many women, usually very young, are coerced into pornography." Then why not forbid coercion or mistreatment, as current state laws do, rather than carving out a gaping new exception to the First Amendment? "In this peculiar setting," responds Sunstein, "with low value speech and special enforcement problems, such an alternative would probably be a recipe for disaster," since "the victims will be reluctant to put themselves through the experience, and possible humiliation and expense, of initiating a proceeding." Therefore, Sunstein tentatively concludes, "if we really want to stop the abuse and coercion, we must accept regulation that is overly broad," banning voluntary *as well as involuntary participation in pornography.*

Second, Sunstein argues that "there is a causal connection between pornography and violence against women." In the single footnote that he devotes to this proposition, Sunstein cites the Meese Report on Pornography and two studies by Edward Donnerstein on which the Meese Commission purported to rely. But, as Nadine Strossen of the ACLU recently pointed out, Donnerstein himself has sharply criticized the Meese Commission for misusing his work. At most, Donnerstein stresses, his data show that exposure to violent images, rather than sexually explicit ones, can lead to

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short-term attitudinal changes about rape. Donnerstein's data provide no support, he emphasizes, for the proposition that exposure to violent, sexually explicit images increases the probability that the viewer will actually commit harmful acts. Sunstein's casualness about evidence on the question that has been central to obscenity law since the 1950s is disappointing. As Sunstein says of Alexander Bickel's argument in the Pentagon Papers case: "In the end, his claims are based on empirical judgments that lack evidence."

The final "harm" that Sunstein identifies is that pornography promotes attitudes and behavior that are "degrading and dehumanizing" to women. As evidence, he cites the title of Hendrik Hertzberg's description of The Meese Report in THE NEW REPUBLIC, "Big Boobs," as "a journalistic attempt at humor [that] quite inadvertently ... confirmed some of the anti-pornography movement's argument about the relationships among sexuality, pornography and inequality." Never mind Sunstein's own sense of humor; he has once again relaxed his earlier principle that speech cannot be regulated merely because people's attitudes are likely to be changed by the ideas it contains.

Although Sunstein would ban pictures and nude dancing, but not words, his discussion of pornography is not easy to distinguish in other respects from undiluted MacKinnonism. And because he refuses to specify precisely what he means by "material that combines sex with violence against women," it is impossible to say how broad a ban he is advocating. His book concludes that "a state should probably be allowed to extend its restrictions modestly further" than current law allows; but in a recent letter to the editor of *The Nation* Sunstein suggested that "my approach would probably allow *less* regulation of sexually explicit speech than does current law." In a prim coda, Sunstein emphasizes that nothing he has said argues in favor of regulating "the work of the gay artist Robert Mapplethorpe, which (among many other things) attempts to draw into question current sexual norms and practices." Well by that standard, why aren't simulations of heterosexual S&M covered as well?

More successful than Sunstein's treatment of hate speech and pornography is his treatment of corporate speech (he would vigorously protect it) and campaign finance reform (he endorses public funding without coercive taxation). At the heart of the book, however, are the arguments about broadcast regulation that Sunstein introduced in a law review article in 1992 and then reproduced in his book *The Partial Constitution*; and which have already been discussed in these pages by Sanford Levenson (TNR, "Unnatural Law," July 19 & 26, 1993). The general thesis is familiar Meiklejohnism: government controls on the broadcast media, designed to ensure "diversity of view and attention to public affairs," would promote (rather than violate) First Amendment values by encouraging "political deliberation and political equality." Some of Sunstein's proposals are modest and useful, such as his suggestion that, instead of giving points to minority applicants for broadcast licenses, the FCC might instead give points to applicants of all races who promise to provide programs to groups underserved by the market.

But Sunstein's willingness to sacrifice the autonomy of individual media producers and consumers to his own notion of worthwhile public debate leads him to proposals that are more radical: "content review of children's television" by nonpartisan government experts; requiring commercial networks to provide "one hour of public affairs programming a night"; and a tax on advertising proceeds that would be used to subsidize public television. All of these proposals depend on Sunstein's premise that the "MacNeil/Lehrer NewsHour" should count as "higher value" speech than standard network fare—the sitcoms, soap operas, "scandals, sensationalized anecdotes and gossip, often about famous movie stars and athletes," that Sunstein assails for having debased the newsstands and airwaves. But then Sunstein expands the definition of political speech so drastically that it is hard to see how he can draw confident distinctions between "MacNeil/Lehrer," "Roseanne" and *The National Inquirer*.

For all its intelligent synthesis, Sunstein's effort to revive New Deal managerialism at a time when information is increasingly decentralized seems peculiarly timed and unlikely to succeed. And despite his complaints about "astonishing economic and technological changes" that have debased the quality of democratic discourse, Sunstein's real objection is to popular culture, not mass technology. In many ways, as he acknowledges, the rise of C-SPAN and talk radio has led to more extensive—and more widely participatory—public affairs programming than ever. What bothers Sunstein is that most people are not watching the shows that he thinks they should be watching—that they prefer "Studs" to C-SPAN—and this is a choice he refuses to respect:

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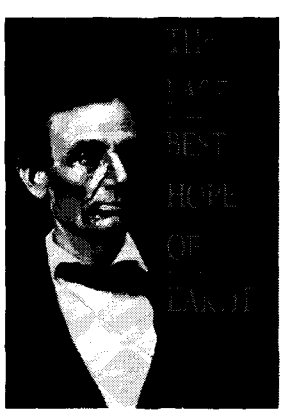

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> Autonomy should not be identified with respect for private choice.... When private choice is a product of existing options, and in that sense a product of law, the inclusion of better options, through new law, does not displace a freely produced desire.

This "truth will set us free" notion of free speech seems inappropriate for the First Amendment debate today. Far more promising in the age of the Internet would be a radically individualist conception of the First Amendment that would protect self-expression for its own sake, without hastening to make centralized judgments about value. The challenge for scholars who take constitutional text and history seriously—and so much of Sunstein's work has been exemplary in this regard—is to comb the ratification debates of the eighteenth and nineteenth centuries to determine whether James Madison's and Ezra Heywood's conception of natural rights can be plausibly extended to protect bumps and grinds. •

Judenbrooks

BY DAVID S. LANDES

The Warburgs: The Twentieth-Century Odyssey of a Remarkable Jewish Family by Ron Chernow

(Random House, 820 pp., $30)

Epigraphs can tell a lot about a book. In the case of Ron Chernow's family saga of the Warburgs, we have three of them, well-chosen and all to the same point: that the Jews of Germany thought of themselves as Germans rather than Jews, while the Germans thought of them as Jews rather than Germans; that the transfiguration never took; and that the whole business, ending in exile for the lucky ones, in blood and ordure for the unfortunates, was a dream forever vanished.

This book is not a banking history, as its title makes clear. It is the history of a fascinating family that had a lot to do with banking, whose fortune was based on profits and connections from banking, but who then, many of them, took the gains and applied them to other, some would say higher, ends: music and the arts, the liberal professions, amateur diplomacy, high-and-mighty living, the pleasures of the flesh. The book did not begin as an authorized work, and it certainly was not a solicited work; but the author, who clearly possesses extraordinary powers of persuasion, succeeded in winning the cooperation of his subjects. As a result, he gained access to all sorts of personal and business papers and memoirs—just about the full treasure trove of Warburgiana—in at least three countries. He also talked with just about every member of the family old enough to remember, and with many people in and about the various Warburg banking houses. (Missing, however, are public and state archives, much of the background literature on German history and the banking annals of the countries concerned.)

This means that we learn far more about the Warburgs than we could ever have learned from the usual documentary approach of the historian, and for this all readers, including historians, have reason to be grateful. Yet it also means that Chernow sees the family and its works from a particular focus and a partial perspective. That there is so little on banking comes as something of a surprise, because Chernow is the author of a prize-winning history of the house of Morgan. He is also short on familiarity with things Jewish, and his Warburg informants were hardly in a position to enlighten him. (There is a fine book on the subject, *M. M. Warburg & Co.: Merchant Bankers of Hamburg*, by Edward Rosenbaum and A. J. Sherman.) What the book does talk about and relish, to the pleasure and the amusement of the curious reader, consists largely of personal anecdotes and family folklore. These recollections have to be read with care and caution. Chernow understands this full well: the memory of the players in this kind of drama is much influenced by the desire to seem noble and wise in retrospect, so that memories are often optative and factitious, and tell of what should have been rather than what was.

Take the "prehistory" of the family. The Warburgs, though touted as "the oldest continuously active banking family in the world," actually came late to the German banking scene, at the very end of the eighteenth century, and they were still a small house fifty and seventy-five years later. As with many Jewish families of prominence, there have been efforts to embellish the beginnings to suit later achievements: thus rumors of Sephardic origins, reflecting the widespread German-Jewish itch for Spanish ancestry; or recollections of a name with "von"—which, in the absence of a true family name, was no more than a designator of origin—magnanimously dropped, we are told, in a rush of modesty.

For a while the Warburgs were *Schutzjuden*, Jews with protected status and residential privilege, in the small town of Warburg, in Paderborn. Still, this did not make them court Jews, even of low rank. From there they moved, around 1668, to Altona, a Danish town across the Elbe from Hamburg, because Jews were not allowed to live in Hamburg itself. But they traded in Hamburg, and beginning in 1773 they were able to live there, first as tenants (because even when Hamburg allowed Jews to reside, it did not allow them to own real property), then as owners of substantial townhouses.

We do not read much about their business and their wealth, which we must infer from their increasingly sumptuous residences and advantageous marital alliances. For the men, these latter changed over time from the scions of other good Jewish families, to plain-looking, plump heiresses of important Jewish mercantile and banking fortunes (thus the Schiffs and the Loebs in the United States), to non-Jews of good looks, more slender figures, more talent than money (the Warburgs no longer needed other families' money) and moderately good connections. Chernow sees these last unions as a kind of escape from the ghetto (his words)—this in spite of making the point that the Warburgs never lived in a ghetto. In general he seems to have his own problem with Jewish marriages:

> This tiny gene pool would intensify both the Warburg vivacity and gloom, yielding many marvels, oddities and monsters. Wizards and dunces would issue from the same womb and the family would abound in eccentric geniuses. These semi-incestuous arrangements would also yield a dark legacy of manic-depression and schizophrenia that would haunt the Warburgs for generations.

This is nonsense.

What we do learn about in this book is people: a wide range of personalities, strong likes and dislikes (at one point I began to think that nobody in the family liked anybody else), deep loyalties to

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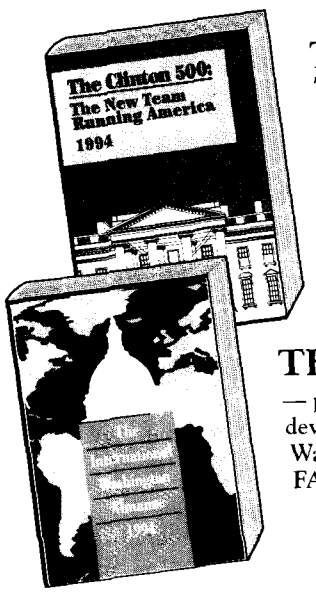
name and firm, along with strong feelings of refusal and rebellion, and psychic and psychosomatic illnesses galore. ("In my opinion, you're all right," said one doctor to Siegmund G. Warburg of London. "I'll tell you when I'm all right," the patient roared back.) Since these are people of wealth and power, who matter and know people who matter, what might otherwise be a soap opera gains considerably in interest and importance. Chernow is very good, moreover, at bringing them to life. He has a sharp eye for detail, for the provenance of a gentleman's suit and the green-lacquered fingernails, for Eleanor Roosevelt as "ugly duckling in a dashing family," and yet I would not always agree with his reasoning or come to his conclusions about deeper characteristics. Writing about Max Warburg, later head of the family bank, Chernow tells us that as a young man in Paris he was a busy little wencher: "Max's sexual conquests must have been legion, for years later, riding down the Champs-Elysees with his wife, he would wave gaily at many women on the sidewalk." Were these conquests or purchases? Or was Max simply feeling good about himself and his wife and waving gaily and proudly to pretty passers-by?

Or take the old dowager empress, Sara (1805-1884), daughter of Moses Marcus (the "M. M." of M. M. Warburg and the last Moses in the family) and wife of Abraham (the first "Aby," 1798-1856), a second cousin imposed on her by her parents. This was the middle of the nineteenth century, and the family was still religiously observant, though the shift from substance to form was proceeding apace. Anyway, the woman whom Chernow calls the "devout" Sara insisted on practice and religiously lit the sabbath candles. But habits of thrift die hard, and she was reluctant to allow the candles to burn out as Jewish law requires; so every Friday night at the end of the meal she leaned close to the silver sticks and went through a little recital of Jewish holidays, with a strong, plosive "P" for Purim and Pesach, thereby blowing out the flame and saving the stumps for another night, though presumably not for another *shabbos* meal. This Sara, incidentally, was just a love; Chernow describes her as vain, insecure, easily wounded. When her little grandson failed to name her as one of the people he liked best—he apparently preferred his nanny, the milkman, the fruit man, his parents—she never forgave him and simply banished him from her affections.

So what we have in this book is some 800 pages of gossip. Good reading, but gossip; and gossip is inherently disconnected. One can open the book anywhere and enjoy it, but thank heaven for sequence and chronology. Still, there are larger themes. There is the growing, nagging tension between heritage and freedom. The Warburgs, once they became rich and important, once they lived in mansions and frequented people of wealth and influence, were bound to feel that they were prisoners of their past. After all, is there any reason to remain Jewish if Jewishness has no spiritual content, if it has been reduced to a label and a few vestigial practices, if it has become a pain and a bother, not to mention a mark of Cain in a viscerally anti-Semitic society?

And there is the theme of love unrequited—the love for the Germany of Beethoven and Goethe. It was Heine, himself an apostate, and the scion of *Hoffjuden* and bankers of Hamburg, of a family some two or three generations ahead of the Warburgs in wealth and in flight from identity, who said that Jews were like the people among whom they lived, only more so. And so these families, most of whom still spoke German with a Yiddish accent at the end of the eighteenth century (we know because they sometimes wrote confidential business correspondence in Hebrew letters that transcribe phonetically their pro-

Two References You Cannot Be Without



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nunciation), learned to speak impeccable *Hochdeutsch*. Better yet, like Siegmund George Warburg a century later, they had the good fortune to speak with an authentic provincial accent, *un accent de terroir*. They also came to surpass their neighbors in cultivation, in taste, in education. To be sure, for *echt* Germans, such credentials were only, could only be, a meretricious veneer. Even after emancipation, these merchants and bankers and aesthetes and philanthropists remained second-class citizens, subject to the nastiest kind of exclusions.

This was just the kind of discrimination that provides an enormous incentive to pass, to "assimilate"; and in practice this meant marriage with non-Jews, since conversion to Christianity was generally felt to be incompatible with personal dignity. This was two-step assimilation: what one would not, could not, have for oneself, one got for the children. Its theoretical justification was the universalist ethic: we are all God's creatures, all equal. In fact, however, some creatures are more equal than others, and Chernow tells us that when Geraldine Warburg, daughter of Gerald, granddaughter of Felix and Frieda, great granddaughter of Jacob Schiff, married a Jew, her father was disappointed. So much for distinguished ancestry.

Yet the Warburg banks—for they proliferated in the twentieth century—were Jewish banks, and they derived much of their success from Jewish connections. To be sure, this Jewishness diminished over the generations: when George Warburg, then working for his father, Siegmund George, in London, remonstrated his boss Frank Smith for an anti-Semitic remark, Smith answered, "You don't understand. Your father and the uncles: *they* are not Jews." (My sense from Chernow is that *they* would have loved that, would have taken it as a compliment.) Still, at least as bankers, the Warburgs could not escape their Jewishness. They thrived by their identity and connections, and insofar as they began to widen their social circle and their children met non-Jews and married out, they in effect lost them as bankers.

The children wanted to do other things; and assimilation was a ticket to professional abdication. This flight from inherited destiny was stimulated and speeded by the war between generations. It took strong, demanding men to be effective bankers, and such men had little patience with the children of rich fathers, children who sought in turn to realize themselves in their own image. Even when a son was ready to engage in banking, such as the above-mentioned George, the last thing he wanted was to work for his father. So Siegmund G., founder of the London house, sought to hire adoptive "sons"—the kind of young men who measured up to his high standards of culture, intelligence, obsessiveness and performance. In moments of warmth and benevolence he could surpass himself in generosity and affection; but it did not take much to offend him, and he was a person to nurse a grievance. He was also, as described by Chernow, a pretentious, impatient, but also highly intelligent and cultivated tyrant, so that even the beneficiaries of his kindness had to flee for safety. One crown prince designate after another came up short.

Sometimes, inevitably, it was the kindness and indulgence of the older generation that became the enemy of the younger. Felix's and Frieda's son, Gerald, steeped in music, wanted to become a professional cellist. He had talent, and as was meet for the son of Felix Warburg, his father gave him a beautiful Stradivarius. Indeed, he was given more than one, enough to found and to arm a quartet appropriately named the Stradivarius Quartet. The family hired the best teachers and secured him opportunities to play with the best symphony orchestras. This, however, was unfortunate. Though he was gifted, Gerald was at his best in small, friendly surroundings; his daughter thinks that he would have been a better cellist without all those advantages. The violinist Franz Kneisel, asked to audition Gerald, gave as his verdict: "Talent he's got, as long as he's ready to starve for it." To which Felix replied: "That is the only thing I can't provide." (Gerald became a Maecenas in the cause of good music, founder and conductor of the Brooklyn Symphony Orchestra, vice president of the New York City Center of Music and Drama, trustee of the Mannes School, producer of a series on Beethoven for public television and so on.)

For rich people, the Warburgs were extraordinarily prolific and were bound to disperse, owing to business, marriage or politics. Wherever they went, they took their German language, culture and habits with them. Paul and Felix ended up in the United States because they married heiresses; they took their places in Kuhn, Loeb & Co., one of the most active and important private banks in the country. Siegmund G. went to London, because there was no longer room for Warburgs in Germany. And Max stayed in Hamburg, because Max was anything but a quitter. He especially, and the Warburgs in general, loved Germany too well, with a passion the more intense for their need as Jews to prove themselves good, productive Germans. Before the scorn of the mighty and the high-born, to say nothing of the swelling tide of popular anti-Semitism, this was not easy. They were damned if they did, damned if they didn't: failure spoke for itself, and success was proof of cunning and exploitation. It was no accident that over the course of the nineteenth century, many wealthy German Jews and even ex-Jews coming from banking especially, left for kinder business and retirement havens in France and England.

Those who stayed behind had to armor themselves against mounting evidence that their beloved was not worthy and then had to tell themselves that these manifestations of hatred were exceptional and would pass. In 1889 the second Aby, later the founder of the Warburg Institute and then a student in Strassburg (now Strasbourg), wrote his mother, Charlotte, that he could no leave the house without someone hollering, "There goes the Jew." His father Moritz, offered him consolation: that was perhaps the way of much of Germany, he said, but not of Hamburg since "we are lucky here in Hamburg that it provides no soil for such nasty acts." But Aby was not taking any chances. As Chernow puts it: "Aby always bristled at anti-Semitism, even as he tried to shake off his Jewish identity." When

A Poem for Ptolemy

Somebody ought to write a poem for Ptolemy,
So ingenious in being wrong, he was almost a poet.
Can anyone follow his configurations?
How he cut a tortured path for every planet
Until his numbers matched what he could see,
Every one spectacularly wrong.
You would think, in all those years of calculations,
He would, at least, have suspected a simpler way.
Maybe he even knew it all along—
The static sun, ellipses, everything—
But kept it to himself as too unseemly
Or to save his pregnant wife from all that spinning
And wait beside her in a quiet place
That he, himself, had rendered motionless.

JACQUELINE OSHEROW

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his father died, he declined to come to the funeral. No one was going to make him say *kaddish.*

Ironically, the man who thus clearly marked his rupture with the past was the Warburg who contributed most to the family's fame. Aby was long seen by his brothers as a spendthrift eccentric. Max had made a deal with him when they were boys that Max would do the banking and pay for Aby's books. Later on Max would say that that was the only blank check he had ever given and that, had he known what it would cost, he would never have agreed. For Aby was a truly original student of art history and had a vision of a fine arts library that went far beyond the usual special collection, that would bring all manner of interdisciplinary materials to bear on the subject; and this vision was in the long run more inflationary than money. And yet Max and the other brothers paid and paid, and then came to realize that this was probably the family's greatest monument.

Though it was Aby who perhaps most felt and resented the slings of anti-Semitism, it was his brother Max who, as head of family and firm, had most to cope with in this regard. Max was a passionate believer in the compatibility of *Deutschtum* and *Judentum,* only to find that he was living at the wrong time. Bad as Germany was for Jews before World War I, it turned into a hell thereafter, and even the purblindness and the wealth of the Warburgs were no protection against the mounting disaster. Still, Max was a fighter; he tried. When he was forced off the board of the Hamburg-America Line (HAPAG), Germany's great passenger shipping company and bearer of the nation's flag on the oceans of the world, the company tried to mitigate the blow by retiring two good Christian directors at the same time. There was a banquet, but with Nazi representatives present, no one dared to get up and offer a toast. So Max rose and toasted himself, listing the contributions of the family bank to the success of HAPAG: when the good Christian banks were not ready to help in the dark years after the Great War, it was Warburgs who had come to the rescue, and so on. "We have not forgotten you for this," he concluded, "and now I would like to wish you, dear Mr. Warburg, a calm old age, good luck and many blessings to your family. We know that you, as you have already explained, will always place your advice at our disposal whenever we shall request it." Pearls before swine. The story of the valedictory spread widely, but in America his brother Felix, to protect Max in Germany, felt constrained to deny that it had ever taken place.

That was just membership on the board of another company. Later, when the family bank was "Aryanized" in 1938, that is, compelled to sell itself to people of Christian ancestry at a thievishly low price, Max made a farewell speech to his employees that Chernow describes as "prophetic and escapist in about equal measure." He exhorted the staff to do their job, looked forward to returning some day to a post-Hitler Germany and finally wished them success "for the benefit of the Hanseatic city of Hamburg and for the benefit of Germany!" And when some years later, in February 1943, Max, then an exile in the United States, was congratulated on the news that Hitler had lost the battle of Stalingrad, the unhappy man answered that he saw no reason to be happy: "That's no reason for joy, for the last chance for Germany to obtain a just peace has now been wasted."

One will find in this book other instances of tenacious Germanophilia; but also much on the comparable determination of the émigrés to the United States to do well by their new country. Chernow shows the two loves proceeding side by side, not always comfortably: the contributions of Paul to the creation of the Federal Reserve System, and of Max to the peace agreements after World War I; and of the American branch's efforts to mitigate Allied terms after both wars.

The same in private matters: the Warburgs seem to have had an extraordinary tolerance for human foibles and an exemplary ability to turn the other cheek. The book abounds in tales and details, large and small. Chernow tells us of Felix's wife, Frieda, née Schiff, who on his death called his current *maîtresse en titre* and invited her to the funeral; and then, because she did not have all the names and addresses, asked her son Edward to get in touch with as many others as possible so that her husband could go to his grave in the presence of all the statuesque singers he had made happy in his lifetime. Chernow does not try to understand this behavior; he is just the teller of tales. But one cannot help wondering about this spartan pursuit of the stiff upper lip.

Should one expect the rich and powerful to learn? People like Max Warburg expected to be listened to, not to listen. In all matters Jewish they were a tissue of contradictions, running away but claiming the positions of power that go with money and influence. So, too, in the major organizations that pretended to speak for American Jewry, the Warburgs presided and gave generously, and gave generously and so presided. But they and their in-laws and cousins of "Our Crowd" never could accommodate the ground swell of independence and rebellion by the new, noisy, little Jews of New York, the children of the East-European immigration. They could not understand that a people who had always been ready to argue with God would not be intimidated by mortals, even by mortals from Fifth Avenue. Chernow tells the story of Jacob Schiff, who declaimed that he was one-third American, one-third German, one-third Jewish. How do you slice that, asked one of his auditors, vertically or horizontally? And which part is which?

Some of the Warburgs became anti-Zionists or, to use Chernow's term, non-Zionists, all the while contributing to Jewish projects in Palestine. Others, notably Gisela (daughter of Max, sister of Eric, who re-established M. M. Warburg in Hamburg after the war, and wife of Judge Charles Wyzanski Jr.), became active Zionists, while working hard for Jewish-Arab friendship. Her sister, Lola Hahn, even became Chaim Weizmann's adulterous mistress, at a time when most of the family disagreed vehemently with that ardent advocate of a Jewish state. Jimmy Warburg, in full flight from Judaism (three non-Jewish wives and an unknown number of non-Jewish girlfriends), went public against Israeli policy and urged the American government to do more for its Arab friends. There was, in effect, no family "line," except for an instinctive unease at all this fuss about a Jewish nation. The Jews—those who had survived—needed places to go, but better a few everywhere than so many in so sensitive a place.

In the postwar years, the Warburgs dispersed and largely vanished as a Jewish family. Insofar as they retained their fortunes or made new ones, they moved and married into Christian high and middling-respectable society, becoming, in Chernow's words, like "other modern families." In the process they experienced a kind of entropy: progressive disorganization and a loss of energy. "They had lost the tradition that had welded them together. Judaism had been the focal point for Warburg charitable and political involvement, tying them to transcendent causes and steering them away from the pursuit of pleasure that comes to dominate many rich families." Give up nobility and nobility no longer obliges.

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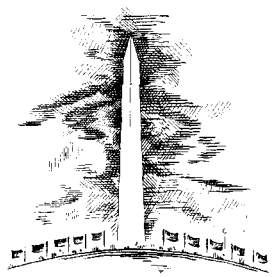
WASHINGTON DIARIST

The vision thing

LAST WEEK I FINALLY WAS FORCED to acknowledge that I was losing my vision, and as I did I felt a bit like one of those Japanese soldiers surrendering after spending forty years in a Pacific island cave. For the past five years or so a process not so different from the breakdown of representation in modern painting has played itself out on my retinas. The entire visible world outside the range of about thirty feet has passed through a series of increasingly abstract phases. Toward the end of the 1980s the clean, hard lines of Poussin gave way to the charming corrosion of Corot, and then to an ever more impressionistic succession of Impressionists. More inclined to see decay in the outside world than in myself, I became slightly disillusioned: landscapes just weren't what they used to be. Had reality not struck, I would soon have found myself squinting skeptically at the sun as it sank hazily into an ocean, flaming the sky into a blurry fugue of pinks, and saying, "You call that a sunset? A 3-year-old could have painted that!" Reality took the form of an eye doctor in downtown Washington who has spent twenty years seeing through the vanity of the political class.

THERE WAS A TIME WHEN I APproached these doctors with the flair of a gunslinger. Strutting past their reception rooms I immediately sought the charts with the rows of letters and demanded to be tested. Even then I probably sensed how tedious I was, but the confrontation was too glorifying to be postponed. The letters would be the size of gnats, so that the nurse would be forced to press her nose right up against them to verify the claims of the obnoxious 8-year-old boy who stood twenty feet away, challenging her in a loud, high voice to "go ahead, make them smaller." Early success is corrupting. It was a small step from the knowledge that I was blessed with superior eyesight to the belief that I could see the world more clearly than most other children and, of course, all adults. To the sharp-eyed child, adults take *forever* to see things: that a fellow child saw first that the emperor had no clothes came as no surprise. Who else could see him at all?

NOW THE EYE CHART SWAM HAZILY on the horizon. It occurred to me that children forced to wear glasses are compensated by never building into their identities the belief that they have, literally, a superior view. "E C 3 G," I said, with none of the old certainty. The doctor stifled a chuckle. His eye chart, with its Woodwardesque talent for exposure, was a source of pleasure to him. "How about this?" he asked. "S V B 3," I said, more quickly. "Ha!," he said, with real glee in his voice, "You're bluffing." "5 V B E?" I asked. But once the patient starts asking, the eye doctor stops listening. "You're myopic," he said, matter-of-factly, calling to mind many of the letters I have received from readers of this publication.



THAT A FULLY GROWN man who goes to the doctor explicitly to correct a defect in his vision, and who pays $200 for the service, nevertheless summons all his powers to trick the doctor into believing that his eyesight is perfectly normal is one sign of how psychologically loaded is the whole subject of sensual decay. And once exposed, he goes looking for an explanation outside himself, otherwise known as a scapegoat. "I got it from my parents," I told the doctor as he returned from a phone call. My parents, though only rarely shortsighted, are indeed myopic. "Nice try," he said, "but you shot yourself in the foot." He then swiveled around, grabbed a jumbo plastic model of the human eye and began an elaborate technical explanation, which fell, I'm afraid, on deaf ears. Its gist was this: focusing on nearby objects forces the muscles around your eye lenses to tense and contract. If you fail to refocus on an object in the distance every fifteen minutes or so your eye muscles, sooner or later, flex permanently around your lenses. The pressure transforms the shapes of the lenses from marbles into footballs. My eyes, I gathered, had the same problem coping with distance that Arnold Schwarzenegger might have throwing a javelin. I had brought the condition on myself.

HOW TO RESPOND? OF COURSE I'D very much like to believe that a mere physical trait does not necessarily come with a lot of unsightly metaphorical baggage. One of the least flexible people I know is double-jointed, for example, and it's easy to imagine a successful interior decorator deprived of his sense of taste. But this business of myopia struck—strikes—a nerve. An intimation not so much of mortality as of the inevitable loss of acuity. One interpretation of aging is that it is a contest between acquisition (of experience, of knowledge) and loss (of sight, of memory) that engages our full attention only because the outcome seems initially in doubt. Over time you have more of some things and less of others, but for a while you appear to be getting the better end of the deal. You have less of a future but perhaps more of an ability to appreciate it. You have more possessions but less ability to recall where you left them. I preferred to group my deteriorating vision with the other losses of aging, to keep them in one place, as it were. And so I passed through the door from the eye doctor to the eyeglass store wondering if I hadn't lost my ability to remember people at the same time I lost my ability to see them clearly.

AT MOST OF LIFE'S LITTLE TURNing points—a new school, a new job, a new girlfriend—I have invariably encountered some well-meaning salesperson hoping to seize the moment of stylistic uncertainty and remake me into something more fashionable than I am. It's the American way, and also good business, to assume that the customer wishes to be up-to-the-minute. But as should now be clear, I wish only to be timeless. What I was looking for was the opposite of fashion: a token of permanence to offset the transience of sight. After a disdainful glance at my Brooks Brothers shirt and khaki trousers, the optometrist reached for several boxes filled with expensive Italian frames, all of which gave me the look of a Washington attorney hoping to pass himself off as a director of German art films. I was about to give up and go when I spotted with uncharacteristic clarity in the back corner a forlorn pair of spectacles almost entirely devoid of style. Until then the optometrist had found a fitting compliment to pay each pair of glasses—subdued, hip, streamlined. But the man was clearly at a loss as I donned these unsightly outcasts, these glass eyesores, these unspectacular spectacles. "I don't believe it!" I said, checking the mirror and reveling in the weird familiarity of the things. "They're me!" "No," he said with false enthusiasm. "They're Brooks Brothers." And once again, the world came sharply into focus. Whether I like what I saw was, for that brief moment, secondary.

MICHAEL LEWIS

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